

The seal of the United States Department of State is a circular emblem. It features an eagle with wings spread, perched atop a shield with vertical stripes. Above the eagle's head is a constellation of thirteen stars. The words "DEPARTMENT OF STATE" are inscribed in an arc across the top, and "UNITED STATES OF AMERICA" is inscribed in an arc across the bottom, separated by two small stars.



The Department of State bulletin

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Accepting the Burdens of World Leadership

*Excerpts from an Address by the President*¹

A mark of free citizens, proud and wise enough to govern themselves, is the searching scrutiny they turn upon the purposes and the performance of their own government.

It is the historic habit of a free people—it is our habit—to ask our Government at frequent times: Where are we going? How far have we come?

These questions arise logically in these very days. The first session of the 83d Congress has adjourned. The laborious work of the committees has ended. The debates have closed. The roll calls have been taken. A record has been written.

In the few moments we have this evening, let us take a look at that record.

The array of legislative actions, at first glance, seems bewildering in variety and complexity. It includes:

A revised defense program for a reorganized Defense Department working on a reduced defense budget; reorganization of whole Government departments; revised plans to help arm our allies in freedom; short-term extension of onerous but needed taxes; indefinite lifting of futile economic controls; emergency aid to drought-stricken areas of our own land; extension of legislation to aid and increase our commerce with the peoples of all lands; wheat to feed Pakistan; programs to rebuild Korea; simplification of customs regulations; admission of refugees; enactment of a multitude of normal appropriation bills.

With such an array of new legislation, it is little wonder that the intelligent citizen asks: what do all these things mean? Where are we going?

The first part of the answer is this:

Such actions as these are not the chance results of some wildly spinning wheels of governmental machinery.

These acts reflect thoughtful planning. They have demanded work—the earnest, exhausting

work of hundreds of conscientious legislators. They denote purpose—clearly defined purpose.

When I first appeared before the 83d Congress 6 months ago to deliver the administration's message on the State of the Union,² I tried to define what I referred to as "the grand labors" confronting this Government. They were these:

"Application of our influence in world affairs with such fortitude and foresight that it will deter aggression and eventually secure peace;

"Establishment of a national administration of such integrity and efficiency that its honor at home will insure respect abroad;

"Encouragement of those incentives that inspire creative initiative in our economy, and

"Dedication to the well-being of all our citizens and to the attainment of equality of opportunity for all."

These purposes give meaning and sense to all that has occurred in these last 6 months.

We have adhered firmly to these purposes.

Let us begin with the first: the exercise of our influence in world affairs in the quest of lasting peace.

The Scenes in Korea and Berlin

And here let us begin with that tragic land of war: Korea.

We made plain from the outset our determination, shared by our allies in the United Nations, to find—to fight for however long to win—an honorable armistice in Korea. We speeded the equipment and training of Republic of Korea troops, inspiringly led by President Syngman Rhee. We firmly—and successfully—upheld the right of prisoners of war to choose their own future.

We have now gained a truce in Korea.

We do not greet it with wild rejoicing. We know how dear its cost has been in life and treasure. We know how grave are the problems to be

¹ Made over combined radio networks on Aug. 6 and released to the press by the White House on the same date.

² BULLETIN of Feb. 9, 1953, p. 207.

met before the people of Korea enjoy real unity and security. Yet we also soberly know that we have won two precious victories.

We have shown, in the winning of this truce, that the collective resolve of the free world can and will meet aggression in Asia—or anywhere in the world.

And we have won the opportunity to show that free people can build in peace as boldly as they fight in war.

We have already given signs of our power and will to do just that. The Congress has authorized the spending of 200 million additional dollars for the reconstruction and rehabilitation of South Korea. This action springs directly from the heart of America, which has contributed so generously to private relief organizations like the American-Korean Foundation working to heal and help our stricken ally. I have now invited all the skilled specialists of the U.S. forces in Korea—engineers, signal corps, technicians of all kinds—to offer their knowledge to help rebuild the land whose freedom they have helped so bravely to save.

There is no finer task that could be entrusted to these men. I know that under the leadership of General Clark, General Weyland, Admiral Briscoe, and General Taylor, the results will bring pride to every American. Our purpose is sane and simple: to make secure and productive the freedom that has been saved—and to make it inspiring for the people for whom it has been saved.

For we know this: no military victory, no diplomatic triumph, no precision-perfect foreign policy of our own can mean very much for very long if it does not bring hope to hundreds of millions of people who live today in fear or need or hunger. As surely as we seek lasting peace, we shall find it only as these people come to have faith in their own future in freedom.

This then is, in one area, the wise and purposeful use of our strength of which I spoke 6 months ago.

We have pursued the same objective on the other side of the world. In Western Europe, we have seen—and constantly aided—the slow, steady growth of unity, of economic health, and of military defense.

With the nations of Western Europe now producing even more than they did before World War II, it has become possible to devote most of our foreign operations to the needs of military defense. This means, for us as Americans, that these billions of dollars directly serve our own national security. They have thereby made possible part of the great savings effected in our own Department of Defense.

The Senate vote of 69 to 10 on this issue of foreign aid was the largest such vote ever united in support of this kind of program. This reflects something more important than money. It sig-

Foreign Policy Legislation

Approved by the President

The President on August 7 approved the following legislation relating to foreign policy, passed by the 83d Congress in the closing days of its first session:

- S. 2249, An act to enable the President, during the period ending March 15, 1954, to furnish to peoples friendly to the U.S. emergency assistance in meeting famine or other urgent relief requirements.
- S. 2315, An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended.
- S. 2539, An act to authorize the loan of two submarines to the Government of Turkey.
- H. R. 5148, An act to continue until the close of June 30, 1954, the suspension of duties and import taxes on metal scrap, and for other purposes.
- H. R. 5495, An act to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes. For his statement, see p. 202.
- H. R. 6200, An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.¹
- H. R. 6391, An act making appropriations for Mutual Security for the fiscal year ending June 30, 1954, and for other purposes.²
- H. R. 6481, Refugee Relief Act of 1953, setting up special immigration quotas to admit 214,000 refugees over a 3-year period. For the President's statement, see p. 201.

On August 8 the President approved the following:

- H. R. 5742, An act to amend the International Claims Settlement Act of 1949.
- H. R. 5877, An act to amend certain administrative provisions of the Tariff Act of 1930 and related laws. For his statement, see p. 202.

¹ Includes \$200 million for Korean rehabilitation.

² Provides a total of \$6,652,422,390, of which \$4,531,507,000 is new money.

nifies an unprecedented unity that crosses party lines and promises steady purpose in the conduct of our foreign affairs.

All these developments—from the still smoldering East to the strengthening West—could not fail to have impressed the peoples of the Soviet world. Neither purges nor police nor prisons have been able to stifle the growing cries for food—and for freedom. Cold oppression has been repaid with cold hate.

In Germany, we have urged the Soviet Union to join with the Western nations in speeding that nation's unity. Even as we have acted, the people of Germany have delivered an eloquent message of their own to Soviet occupation authorities. It has been a message of defiance—delivered by the thousands of Berlin workers who stormed through their streets in the memorable June uprising, and the tens of thousands who have de-

fiantly come to West Berlin for the needed food sent by this Government for their relief.

Our action in Berlin—this reaching out to people to help, to feed, to strengthen their faith in freedom—partakes of the same spirit directing our course in Korea.

There is a significant connection between these distant spots on the great globe.

Berlin and Korea have been two of the scenes chosen by the Communist world for flagrant acts of aggression since World War II.

Today precisely these same two places present dramatic evidence of the will of free men to stay free and to make freedom work.

No clearer proof is needed of the power of the free world not only to defeat what is evil but also to create what is good.

We intend to keep the knowledge of that power before all men.

Meeting the Need for Profitable World Trade

The essential force behind this power is the unity of the free world; and one essential basis for that unity, in turn, is economic health nourished by mutually beneficial trade. The 83d Congress has shown clear understanding of this truth. This is the significance of the Congress' actions in simplifying our customs regulations and extending the Reciprocal Trade Act. These actions again testify to that growing unity of opinion which rises above party lines to see clearly the need for profitable trade throughout the free world. These actions—while consistent with concern for our own industries—recognize also our own dependence upon vital foreign markets and foreign sources of raw materials.

Again and again, as we have faced these problems of international trade and world diplomacy, we have stressed the central fact that we are concerned with the plain needs and hopes of the ordinary peoples of the earth. So we have undertaken the shipping of a million tons of wheat to help meet the famine in Pakistan.³ So the Congress has authorized this Government to make available excess reserves of crops to friendly nations in need.⁴ And so we have authorized the entry into the United States of some 214,000 refugees.⁵ These are men and women of the same character and integrity as their and our ancestors who, generation upon generation, have come to America to find peace and work, to build for themselves new homes in freedom.

In all these ways, then—in every deed and decision—we have sought to apply our strength in

the world so as to deter aggression and to secure peace. We have accepted the burdens of world leadership with clear mind and confident heart—for we know that to strengthen other free men is to serve our own freedom and safety.

These, then, are some of the things we have been doing—and the reasons why. They all total—I repeat—only a little more than a beginning.

I know of no official of this administration so foolish as to believe that we, who in January came to Washington, have seen and conquered all the problems of our nation.

The future, both immediate and distant, remains full of trial and hazard; the end of our staggering economic burden is not yet in sight; the end of the peril to peace is not clearly in view.

There is only this in sight: a firm and binding purpose that guides all our objectives—our every deed.

This purpose is to serve and to strengthen our people, all our people, in their faith in freedom and in their quest of peace; and to strengthen all other peoples who share with us that faith and that quest.

In this short summary of the record, you can see how this single, supreme purpose rules and relates foreign relations, world trade, defense appropriations, reorganization of Government departments, domestic programs affecting agriculture, labor and industry, taxes, debts, tariffs.

This ruling purpose inspires all the men who are your servants in Government—men from the professions, the trades, from business, from farm and factory—each representing a part of America in such a way as to make a united America.

The men and women in the Congress, the men and women in the executive departments, in both appointive and civil service offices—all are working together to serve you with this common purpose.

I know no other purpose, no other toil, worthy of America.

Refugee Relief Act Signed

Statement by the President

White House press release dated August 7

This emergency immigration legislation is, at once, a significant humanitarian act and an important contribution toward greater understanding and cooperation among the free nations of the world.

In enacting this legislation, we are giving a new chance in life to 214,000 fellow humans. This action demonstrates again America's traditional concern for the homeless, the persecuted, and the less fortunate of other lands. It is a dramatic

³ See *ibid.*, June 22, 1953, p. 889 and *ibid.*, July 6, 1953, p. 15.

⁴ For text of the President's message to Congress requesting this emergency aid, see *ibid.*, July 13, 1953, p. 60.

⁵ See *ibid.*, May 4, 1953, p. 639 and *ibid.*, June 15, 1953, p. 857.

contrast to the tragic events taking place in East Germany and in other captive nations.

This legislation also offers encouragement to the other friendly nations which are today affording asylum to refugees and escapees. It is my hope that, in our action, by our direct participation with them in this great humanitarian work, we are giving them cause to continue their efforts with renewed enthusiasm.

The enactment of this legislation provides abundant proof of the progress that teamwork between the legislative and executive branches of the government can achieve. It is also a stirring example of bipartisan statesmanship.

The leaders of the great religious faiths who are here today to witness the signing of this bill have, in years past, made notable contributions to similar programs. I am sure that their continued activity and enthusiasm will be major factors in ensuring the success of this program.

I am delighted to sign this bill and, in so doing, to welcome the 214,000 refugees who will soon come to our shores. They—as I said in last night's report to the nation¹—are men and women of the same character and integrity as our ancestors who, generation upon generation, have come to America to find peace and work, to build for themselves new homes in freedom.

Trade Agreements Program Extended for One Year

Statement by the President

White House press release dated August 7

I have today signed the Trade Agreements Extension Act of 1953 extending our trade-agreements legislation for an additional period of one year and providing for the creation of a Joint Executive-Legislative Commission on Foreign Economic Policy.

This action by the Congress, coupled with the excellent progress made in the field of customs simplification, reaffirms the will and purpose of the United States to cooperate with other friendly countries in the development of a large and growing volume of world trade on a mutually profitable basis. In addition, through the establishment of a Foreign Economic Policy Commission, this legislation will enable the executive and legislative branches of our Government to undertake a careful and thorough review of our foreign economic policy in order to make it more responsive to the needs of our time.

Our present trade-agreements program, although helpful in the past, is inadequate in many ways and does not fully meet the requirements of our international relations today.

¹ *Supra.*

Its renewal, however, provides us with a breathing space, during which the United States will have the opportunity to develop a policy based upon a full understanding of our national interests, domestic and foreign, and an appreciation of the fact that those interests are inseparable from the interests of the free world as a whole.

I am confident that the Commission created by this law will approach its task in this spirit and that its work will provide the foundations on which a new and constructive foreign economic policy can be erected.

Customs Simplification Act

Statement by the President

White House press release dated August 8

I have today approved H.R. 5877, the Customs Simplification Act of 1953. This statute will authorize the Treasury Department to make much-needed changes in the regulations governing the procedures of the Bureau of the Customs. The new law will permit the elimination of many obsolete but time-consuming requirements, contribute to a more efficient utilization of available personnel, and eliminate a number of inequities in the former law.

In my first message to the Congress, I indicated that one of the important measures which should be undertaken was legislation to modernize customs procedures. By the enactment of H.R. 5877, the Congress has completed a major portion of the legislation needed for this purpose. It is gratifying that the few provisions suggested by the Treasury and passed by the House but deferred for further study by the Senate and thus not contained in this act have been included in a new bill (H.R. 6584) introduced by Mr. Jenkins of Ohio which has passed the House of Representatives and which will receive the consideration of the Senate at the beginning of the second session of the 83d Congress.

Letters of Credence

Colombia

The newly appointed Ambassador of Colombia, Don Eduardo Zuleta-Angel, presented his credentials to the President on August 3. For text of the Ambassador's remarks and of the President's reply, see Department of State press release 417 of August 3.

Canada

The newly appointed Ambassador of Canada, Arnold Danford Patrick Heeney, presented his credentials to the President on August 3. For text of the Ambassador's remarks and of the President's reply, see Department of State press release 418 of August 3.

Results of Secretary Dulles' Consultations With President Rhee

JOINT STATEMENT BY THE SECRETARY AND PRESIDENT RHEE¹

Press release 424 dated August 7

Our friendly and understanding consultations demonstrate clearly the determination of the United States and the Republic of Korea to stand together in cordial cooperation to achieve our common objectives, including the reunification of Korea.

We have today initialed a draft of a mutual defense treaty. That treaty is designed to unite our nations in common action to meet common danger and it will cement the ties which have brought us together to combat in Korea the menace of Communist aggression.

Our two Governments will actively proceed with the constitutional processes necessary to bring this treaty into full force and effect. These constitutional processes, in the case of the United States, require that the U.S. Senate consent to the ratification. The U.S. Senate, having adjourned this week, will not again be in regular session until next January. However, U.S. Senate leaders have been kept fully informed of the exchange of views which have led to the action we have taken today and it is our sincere hope that this will lead to prompt and favorable U.S. Senate action.

Between now and the date when the mutual defense treaty can be expected to come into force and effect, our armed forces in Korea will be subject to the U.N. Command which will comply with the armistice terms. If, during this period, there should occur unprovoked armed attack by the Communist forces against the Republic of Korea in violation of the armistice, the U.N.C., including the Republic of Korea forces, would at once and automatically react, as such an unprovoked attack would be an attack upon and a threat to the U.N.C. itself and to the forces under its command. Such reaction to an unprovoked armed attack would not be a new war but rather a resumption by the Communist forces of the active

belligerency which the armistice has halted. The U.N.C. will be constantly alert against such an attack.

Our Governments will promptly negotiate agreements to cover the status of such forces as the United States may elect to maintain in Korea after the mutual defense treaty comes into force and effect, and the availability to them of Korean facilities and services needed for the discharge of our common task. In the meantime, the Republic of Korea will continue to cooperate with the U.N.C. and the status of U.N.C. forces in Korea and the availability to them of Korean facilities and services will continue as at present.

The armistice contemplates that a political conference will be convened within 3 months, that is, prior to October 27, 1953. At that conference the U.S. delegation, in cooperation with the ROK delegation and other delegations from the U.N.C. side, will seek to achieve the peaceful unification of historic Korea as a free and independent nation. We and our advisers have already had a full and satisfactory exchange of views which we hope and trust will establish a preparatory foundation for coordinated effort at the political conference.

If, after the political conference has been in session for 90 days, it becomes clear to each of our Governments that all attempts to achieve these objectives have been fruitless and that the conference is being exploited by the Communist delegates mainly to infiltrate, propagandize, or otherwise embarrass the Republic of Korea, we shall then be prepared to make a concurrent withdrawal from the conference. We will then consult further regarding the attainment of a unified, free, and independent Korea which is the postwar goal the United States set itself during World War II, which has been accepted by the United Nations as its goal and which will continue to be an object of concern of U.S. foreign policy.

We recognize that the Republic of Korea possesses the inherent right of sovereignty to deal with its problems, but it has agreed to take no unilateral action to unite Korea by military means for the agreed duration of the political conference.

We contemplate that the projected 3 to 4 year program for the rehabilitation of the war-ruined Korean economy shall be coordinated through the

¹ Issued at Seoul, Korea on Aug. 8 (Korean time) following conclusion of their talks.

combined economic board, under the joint chairmanship of the Korean and American representatives. This program contemplates the expenditure of approximately one billion dollars of funds, subject to appropriations thereof by the U.S. Congress. Two hundred million dollars has already been authorized, out of prospective defense savings.

We have exchanged preliminary views with respect to various problems involving the maintenance and development of ROK land, air, and sea forces.

We feel confident that the relationship thus established between our two Governments marks an important contribution to the developing of independence and freedom in the Far East. With unshaking faith in the principle of collective security, and with loyal adherence to the Charter of the United Nations, we intend to move forward together toward the achievement of our common objective—the restoration of a unified, democratic, and independent Korean nation.

There are no other agreements or understandings stated or implied resulting from these consultations other than those herein contained.

TEXT OF DRAFT U.S.-ROK MUTUAL DEFENSE TREATY²

Press release 426 dated August 7

The Parties to this Treaty, reaffirming their desire to live in peace with all peoples and all governments, and desiring to strengthen the fabric of peace in the Pacific Area, desiring to declare publicly and formally their common determination to defend themselves against external armed attack so that no potential aggressor could be under the illusion that either of them stands alone in the Pacific Area, desiring further to strengthen their efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive and effective system of regional security in the Pacific Area have agreed as follows:

Article I. The Parties undertake to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations, or obligations assumed by any Party toward the United Nations.

Article II. The Parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the Parties is threatened by external armed attack. Separately and jointly, by self help and mutual aid, the Parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this Treaty and to further its purposes.

Article III. Each Party recognizes that an armed attack in the Pacific Area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety

² Initialed on Aug. 8 (Korean time) by President Rhee and Secretary Dulles.

and declares that it would act to meet the common danger in accordance with its constitutional processes.

Article IV. The Republic of Korea grants, and the United States of America accepts, the right to dispose United States land, air and sea forces in and about the territory of the Republic of Korea as determined by mutual agreement.

Article V. This Treaty shall be ratified by the Republic of Korea and the United States of America in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at _____.

Article VI. This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Treaty.

DONE in duplicate at _____ this _____ day of _____

For the United States of America:

For the Republic of Korea:

Korean Developments

Secretary Dulles Leaves for Seoul

Statement by the Secretary¹

Press release 416 dated August 2

Three years of fighting in Korea has now been brought to an end and we go on to the second phase of our task—the search for a peace with justice. This, of course, raises many new and difficult problems. But at least they are problems to be solved by peaceful means and not by stopping bullets with the bodies of our boys.

I promised President Syngman Rhee of the Republic of Korea, a personal friend, that if there was an armistice in which he cooperated I would go out to meet him so that we could develop common attitudes in relation to the political conference to follow the armistice. I am now fulfilling that promise.

The fact that President Rhee and I are meeting does not mean that our two Governments exclude the viewpoint of other interested Governments. We, with all our allies, agree that Korea should be unified. Thus, it is clearly appropriate that there should be a preliminary exchange of views with the Government of the Republic of Korea, which was the victim of the Communist aggression and which contributed so mightily to stopping that aggression. But the United States will not finally determine its position in relation to the political conference and its procedures until we have had the benefit of wider consultation.

I was in Korea the week when the Communist aggression began. I was there while the fighting was under way. And it is now a great pleasure for me to return when the Republic of Korea, with the help of the United Nations, is gallantly emerging from its great trial.

¹ Made at the Washington National Airport on Aug. 2.

I hope and believe that the future of our two countries which have been so close in war will now be transferred to an even closer friendship in peace.

I regret that the bipartisan group of Senators—William F. Knowland, H. Alexander Smith, Lyndon B. Johnson, and Richard B. Russell—will be unable to accompany me. There is still a chance, though I fear this morning a rather slight chance, that they might join me later. The reason I leave today, without waiting for the Congress to adjourn, is that the United Nations General Assembly will meet August 17 and it is important for us to be back before that time.

U.S. Representative Reports to U.N.

U.S./U.N. press release dated July 26

Following is the text of a letter dated July 26, from Henry Cabot Lodge, Jr., U.S. representative to the United Nations, to Dag Hammarskjöld, Secretary-General of the United Nations:

I have the honor to inform you that an armistice agreement has been entered into between the United Nations Command and the Commanders of the Communist forces in Korea, i. e., the Korean People's Army and the Chinese People's Volunteers. The agreement was signed for the United Nations Command at 1000 hours on July 27, 1953, Korean time, and becomes effective at 2200 hours, July 27, 1953, Korean time.

A report of the Unified Command transmitting the official text of the armistice agreement will be sent to you shortly.

Accept, Excellency, the renewed assurances of my highest consideration.

U.N. General Assembly To Reconvene

*Statement by Lester B. Pearson
President of the General Assembly*

U.N. press release dated July 26

The good news from Korea reflects the wishes of millions throughout the world that the fighting should be brought to an end on honorable terms.

Our first thought at this moment is for those who have defended the principles of the United Nations with their lives and in the hope that their devotion might save us from the destroying horror of another world war.

On June 25, 1950, the United Nations faced its greatest challenge—the aggression launched against the Republic of Korea. The challenge has been met by the United Nations in the spirit of the charter. By resisting and ending aggression in Korea, the United Nations has at the same time reduced the chance of successful aggression elsewhere.

In nearly 3 years of bitter fighting, under con-

ditions of the utmost difficulty, the forces under the U.N. Command, mainly from the Republic of Korea and the United States, have carried out their assigned task with courage and perseverance.

The armistice will end the fighting in Korea. As such it is the first step—but only the first step—toward a peaceful settlement in that area.

The next step is to call the U.N. General Assembly back into session to prepare the way for calling the political conference recommended in the armistice terms. There are a number of decisions that will have to be made by the Assembly before this political conference meets. There is also the need for further U.N. action to aid the Korean people in the restoration and reconstruction of their ravaged land.

In accordance with the Assembly's resolution of last April 18,² I am therefore informing the member governments tonight that the Assembly will reconvene at U.N. Headquarters on August 17 to take up these Korean questions.

The signing of the armistice is the end of one chapter—of bloodshed and conflict—but it is only the beginning of a new and difficult one—the making of peace. This new chapter can only be completed successfully in Korea if the armistice terms are faithfully and scrupulously observed by all concerned.

If this is done, we can move on to the next stage toward political settlement and reconstruction in a free, democratic, and united Korea—a goal which the Korean people have fought so valiantly to reach. Such a settlement could in its turn lead to a solution of outstanding issues in the whole of the Far East.

The magnitude of the effort already made for peace and unification in Korea is the measure of the task which lies ahead. We shall only succeed in that task if we follow the course laid down by our Charter and maintain the spirit of joint endeavor that has carried us to this point on the long and hard road to peace.

Communist Retention of U.S. Prisoners of War

Press release 428 dated August 8

The State Department is gravely concerned by reports that the Communists may not intend to return all of our prisoners now in their custody. It has long been believed on good authority that the Soviet Union still holds an unknown number of World War II prisoners of different nationalities, and it was with this in mind that we insisted on a clause in the armistice agreement which provided that any U.N. personnel who are said not to

² BULLETIN of May 4, 1953, p. 661.

desire repatriation must nevertheless be transferred to the custody of the Repatriation Commission where United Nations and U.S. officials will have access to them. This would include any prisoners alleged to have been given "jail sentences." None is exempt.

We must avoid action which might jeopardize the safety or liberty of our prisoners now in Communist hands. The progress of the prisoner exchange is being watched closely and appropriate action will be taken just as soon as definite facts are established.

U.S. Makes Second Protest to U.S.S.R. on Air Attack Over Sea of Japan

Press release 422 dated August 5

The American Embassy at Moscow on August 5 delivered a note concerning the U.S. Air Force RB-50 airplane shot down over the Sea of Japan on July 29. The U.S. note was in reply to communications from the U.S.S.R. of July 30 and August 4.

Following are the texts of the U.S. note, dated August 4, and the Soviet notes of July 30 and August 4:

U.S. NOTE OF AUGUST 4

The Embassy of the United States of America refers to the Ministry's notes of July 30 and August 4, 1953 concerning the shooting down by Soviet aircraft July 29 of a United States Air Force RB-50 airplane over the Sea of Japan, as well as to the Embassy's Aide Memoire on this subject left at the Ministry on July 31.¹

In its notes under reference, the Soviet Government alleges that the American RB-50 airplane violated the state frontier of the Soviet Union, that this aircraft opened fire on two Soviet fighter planes and that the Soviet fighter planes then returned the fire after which the American airplane departed in the direction of the sea.

These allegations are in complete contradiction of the facts of the case, as established by a thorough investigation by United States authorities, including interrogation of Captain John E. Roche, co-pilot of the RB-50 airplane, who was rescued by a United States vessel.

This investigation confirms that the American airplane while on a routine navigational training mission over the Sea of Japan was attacked by Soviet MIG-15 aircraft at 6:15 A. M., local time, on July 29. At the time of the attack by the Soviet fighters, the American RB-50 was cruising at an

altitude of 20,000 feet at 42 degrees 05 minutes north latitude and 133 degrees 02 minutes east longitude, a position well over international waters approximately 40 statute miles southeast of the nearest Soviet territory at Cape Povortny. This position was established by radar by the navigator just prior to the attack.

According to eye-witness testimony of Captain Roche, the unwarranted attack on the RB-50 came as a complete surprise, since the American airplane was flying over recognized international waters and the attacking Soviet fighters gave no warning by such commonly accepted signs as wing signals or shooting across the airplane's nose.

The first indication of the presence of Soviet fighters was given when a MIG-15 attacked the American RB-50, setting one engine on fire. It was only after this attack that the crew of the RB-50 shot at the Soviet fighter in self-defense.

Immediately following the first attack, another firing pass was made by a MIG-15, disabling a second engine in the RB-50 airplane and setting its wing on fire. As the airplane started to spin into the sea, the signal to abandon was given and the crew began to parachute out.

Captain Roche, co-pilot, was sighted in the water by an American rescue airplane at approximately 6:00 P.M., July 29. When he was picked up by an American surface vessel eleven hours later, he was in the vicinity of 42 degrees 21 minutes north latitude and 132 degrees 44 minutes east longitude. At the time Captain Roche was sighted 12 Soviet PT-type boats were seen operating in the general area, presumably engaged in picking up other survivors of the crash.

One of the American rescue airplanes dropped a lifeboat to a group of four survivors at 42 degrees 14 minutes north latitude and 132 degrees 59 minutes east longitude at 5:50 P.M., July 29. These four survivors were seen by the pilot of the American airplane making their way to the lifeboat. A second group of three survivors was sighted approximately one half mile east of the

¹ For text, see BULLETIN of Aug. 10, 1953, p. 179.

spot where the lifeboat was dropped. Further search and rescue activities were prevented by fog banks and darkness.

The names and serial numbers of the crew of the RB-50, excluding Captain Roche, are as follows:

Stanley Keith O'Kelly, Capt. AO 776002
Edmund Joseph Czyz, 1st Lt. AO 2072656
Lloyd Calyton Wiggins, 1st Lt. AO 695999
James Gordon Keith, 1st Lt. AO 2092926
Warren John Sanderson, 1st Lt. AO 2066184
Robert Elbon Stalnaker, 1st Lt. AO 761337
John Cyrus Ward, Capt. AO 865270
Francisco Joseph Tejada, Maj. AO 726704
Frank Ernest Beyer, 1st Lt. AO 2093286
Francis Luther Brown, M. Sgt. AF 19 053497
Donald Wayne Gabree, S. Sgt. AF 19 333787
Roland Edgar Goulet, A/1C AF 12 323933
James Edwin Woods, A/2C AF 24 413122
Charles Joseph Russell, A/2C AF 13 351658
Donald George Hill, S. Sgt. AF 19 353976
Earl Wilbur Radelin, Jr., A/2C AF 14 370732

In view of the facts presented above, the Embassy has been instructed to reject the allegations contained in the Ministry's notes under reference as being without foundation, to protest in the strongest terms the unprovoked attack against the American RB-50, and to request payment of appropriate compensation for the loss of this airplane and the lives of any of its crew who may have been killed as a result of the attack by the Soviet fighters.

The Soviet Government is further requested, taking into account the detailed information furnished herein, to undertake an exhaustive investigation regarding the surviving members of the crew of the U.S. RB-50, and to communicate promptly all information developed in this regard.

SOVIET NOTE OF JULY 30

[Unofficial translation]

The Government of the USSR considers it necessary to state the following to the Government of the USA:

According to verified data, on July 29, 1953, at about 7 o'clock Vladivostok time, a four-motored bomber of the B-50 type with U.S. identifying marks violated the state frontier of the USSR, at first in the region of Cape Gamov, and continued the flight over the territory of the USSR at Ajton Island not far from Vladivostok. On approach, two Soviet fighter planes for the purpose of indicating to the American aircraft that it was within the limits of the USSR frontiers and inviting it to leave the air space of the Soviet Union, American aircraft opened fire on them and did serious damage to one of the above mentioned Soviet aircraft, whose fuselage and left wing were punctured, and pressurized pilot's cabin was also broken. Soviet airplanes were compelled to open

answering fire, after which the American aircraft departed in the direction of the sea.

The Soviet Government makes decisive protest to the Government of the USA against this gross violation of the Soviet frontier by American military aircraft, insists that the persons guilty of this violation be brought to strict accounting, and expects that the Government of the USA will immediately take measures to prevent violation of the state frontier of the USSR by American airplanes in the future.

SOVIET NOTE OF AUGUST 4

[Unofficial translation]

In connection with the United States Embassy's aide memoire of July 31, this year, the Government of the USSR considers it necessary to state the following to the Government of the United States of America.

In the note of the Soviet Government to the Government of the United States of America of July 30 this year there were cited verified facts bearing witness to the fact that an American four-motor bomber of B-50 type violated the state frontier of the USSR on July 29, 1953, at first in the region of Cape Gamov, and continued flight over the territory of the USSR at Askold Island not far from Vladivostok. At its approach, two Soviet fighter planes for the purpose of indicating to the American aircraft that it was within the limits of the USSR frontiers and inviting it to leave airspace of the Soviet Union, the American aircraft opened fire on them and did serious damage to one of the Soviet planes. In connection with this, the Soviet plane was compelled to open answering fire, after which the American aircraft departed in the direction of the sea.

The facts cited above show that the statement contained in the United States Government's aide memoire alleging that the American plane was attacked by Soviet fighters during a routine flight over the Japan Sea contradicts established facts.

The Soviet Government disposes of no information whatsoever regarding the above-mentioned American aircraft, which departed in the direction of the sea, or regarding its crew.

The Soviet Government reaffirms its note of July 30, insists that the persons guilty of violation of the Soviet frontier be brought to strict accountability, and expects the Government of the United States of America will take measures to prevent violations of the state frontier of the USSR by American airplanes in the future.

The Soviet Government rejects the protest contained in the Embassy's aide memoire as devoid of any foundation whatsoever.

Japan To Resume Authority Over Amami Oshima Islands

Statement by Secretary Dulles¹

I am pleased to be able to make in Tokyo the following announcement which I have just communicated to His Excellency, the Prime Minister, on behalf of the U.S. Government.

The Government of the United States desires to relinquish its rights under article 3 of the peace treaty over the Amami Oshima group in favor of the resumption by Japan of authority over these islands as soon as necessary arrangements can be concluded with the Government of Japan.²

With respect to the other islands included under article 3 of the Japanese peace treaty, it will be necessary during the present international tensions in the Far East for the United States to maintain the degree of control and authority now exercised. The United States will thus be able to carry out more effectively its responsibilities under the security treaty between the United States and Japan to contribute to the maintenance of peace and security in the area. Meanwhile, the United States will make increased efforts to promote the welfare of the inhabitants of these islands.

Food Distribution in Soviet Zone of Germany

Response of U.S. Citizens

The Mutual Security Agency on July 28 released the following statement by Charles P. Taft, chairman of its Advisory Committee on Voluntary Foreign Aid:

Since President Eisenhower's announcement of July 10 offering much needed foodstuffs to help feed the hungry people of East Germany,³ a great many inquiries have been coming to the staff of the Advisory Committee on Voluntary Foreign Aid,

¹ Made at Tokyo on Aug. 8 (press release 427) following his talks with Prime Minister Shigeru Yoshida.

² Article 3 of the U.S.-Japanese peace treaty reads as follows:

Japan will concur in any proposal of the United States to the United Nations to place under its trusteeship system, with the United States as the sole administering authority, Nansei Shoto south of 29° north latitude (including the Ryukyu Islands and the Daito Islands), Nanpo Shoto south of Sofu Gan (including the Bonin Islands, Rosario Island and the Volcano Islands) and Parece Vela and Marcus Island. Pending the making of such a proposal and affirmative action thereon, the United States will have the right to exercise all and any powers of administration, legislation and jurisdiction over the territory and inhabitants of these islands, including their territorial waters.

³ BULLETIN of July 20, 1953, p. 67.

asking how private citizens can add to this food relief program of the U.S. Government. These inquiries have come not only from American private agencies but from civic groups, clubs, and individuals.

This desire of American private citizens to help other peoples who are in distress is traditional to our people. It is one more expression of the way in which the American people respond to humanitarian programs.

By the action of the President, the U.S. Government itself is taking steps to provide the supplemental rations needed by the hungry people of East Germany. More than 4,000 long tons of flour, beans, lard, and dried milk have already been shipped to Germany and the President has stated that the program will continue despite the rejection of the food offer by both the puppet government of East Germany and the Soviet Union.⁴

However, every reasonable effort should be made in cooperation with the Federal Republic of Germany to aid, whether with food or in other ways, those who have suffered behind the Iron Curtain and who are continuing to flee to freedom. Their basic needs are taken care of in group feeding distribution programs, but additional supplemental supplies could help the children, the sick, and the aged. This food would be used both in West Berlin, where the refugees first arrive, and in camps throughout West Germany where they are subsequently housed.

The Advisory Committee therefore urges that ways be explored by private groups and citizens in this country through which their aid can bolster West German efforts to help their fellow Germans in East and West. This can best be accomplished through the American voluntary agencies listed with this committee which administer programs in Germany and whose representatives can be contacted in the various cities and towns in the United States, or through the American Council of Voluntary Agencies for Foreign Service, 20 West 40th St., New York 18, N. Y.

These agencies are American Baptist Relief, American Friends Service Committee, Brethren Service Commission, Church World Service, Congregational Christian Service Committee, Cooperative for American Remittances to Everywhere (CARE), Foster Parents' Plan for War Children, International Rescue Committee, Lutheran World Relief, Mennonite Central Committee, Salvation Army, Save the Children Federation, Unitarian Service Committee, United Lithuanian Relief Fund of America, and War Relief Services of National Catholic Welfare Conference.

Through the programs of these agencies, an impressive amount of aid has been given to refugees seeking freedom in West Germany. They financed more than \$10 million worth of aid commodities in 1952, and in the first 3 months of 1953, the aid amounted to nearly \$4 million.

⁴ For text of the Soviet note of rejection, see *ibid.*, p. 68.

The response of the American people in helping feed the growing number of refugees who seek sanctuary in West Germany is another example of how we are linked to freedom-loving peoples anywhere in the world. An increase in that food aid now—from individual Americans to individual Germans—will underline the differences between democracy and totalitarianism.

Reply to Soviet Protest

Following is the text of a letter which James B. Conant, U.S. High Commissioner for Germany, sent to Vladimir Semenovitch Semenov, the Soviet High Commissioner, on July 23:

DEAR MR. SEMENOV: Your letter of July 21, 1953,⁵ in which you refer to the U.S. Government's offer of food to alleviate the distress of the inhabitants of the East zone of Germany, contains a great number of statements which are clearly contrary to the facts. I can only assume that you have been completely misinformed about the true situation in West Berlin and Western Germany. I am particularly puzzled by your reference to the establishment by American authorities of "special places in West Berlin" where food sales are being made. The distribution to inhabitants of East Berlin which has occurred in West Berlin has been a spontaneous action of the West Berlin people and authorities to relieve the distress of their fellow Germans in East Berlin. I am amazed to have you label the providing of food to hungry people as "illegal and inadmissible acts."

As to the offer of my Government of food for people in East Germany, this offer was made in good faith and still stands. The first shipments are already in transit and on arrival will be put in the hands of the Federal Republic to be made available to the inhabitants of the East zone. I hope you will not place any obstacles in the way of distribution of this food by Germans to Germans.

The important thing is that the people in the East zone who need the food actually receive it.

Statement by Ambassador Conant, August 1

The program for distribution of food to hungry East Berliners and Germans from the Soviet Zone has now been in operation since Monday. I take the liberty, therefore, to congratulate all those who have participated in it. The authorities of the Federal Republic and West Berlin have done a magnificent job in distributing food which will help alleviate the distress of their fellow countrymen. Already about a million food packages have been given out to hungry Germans who have come from all sections of the Soviet Zone, having heard of President Eisenhower's offer of food and of the distribution operation going on in West Berlin.

⁵ Not printed.

I am gratified by the reports we are constantly receiving from all corners of Germany, East and West, which indicate the enthusiasm and appreciation for the gift of American food made available by President Eisenhower. But what is more important is the fact that hundreds of thousands of undernourished East Germans are actually getting food they badly need, which fulfills the basic humanitarian aim of the President's offer.

The food now being distributed in West Berlin is from stocks immediately available there. The decision to use these stocks was made so that the program could get under way without delay. It can continue because American food is now arriving in West German ports and will continue to arrive. American and German authorities have been and will remain in constant contact on this operation and have agreed upon details.

Announcement Issued by East German Minister of Railways, August 1

The plans of American and West German warmongers to organize provocations in Berlin, which are directed against the workers' and peasants' regime in the German Democratic Republic, compel the Minister of Railways to take the following measures:

(1) Starting immediately, the sale of individual tickets, Sunday round-trip tickets and group tickets to railroad stations of the Berlin District Reichsbahn Administration is discontinued until further notice.

Exceptions to the above are: season tickets, workers' round trip tickets, transportation forms for travel by school children and youth to recreation and nursing centers to the extent they have been announced or approved within the "happy holidays" transportation program, vacation tickets and vacation tickets on special trains, tickets for travelers who can show through presentation of their German personal identity papers that they reside within the district of the Berlin Reichsbahn Administration.

(2) Within the Berlin Reichsbahn Administration District, this prohibition applies to travel to the city of Berlin.

(3) Tickets already received can for the time being not be used, but still retain their validity until August 31, 1953. At the traveler's request, money paid for the tickets will be returned.⁶

U.S. High Commission Statement, August 2

United States High Commissioner James B. Conant, who arrived in Berlin this morning, met with governing Mayor Reuter at U.S. Headquarters at noon. During the course of their informal

⁶ In addition, the Minister of Interior Press Service announced that persons who turn over their personal identity papers to others, or who are found in possession of such papers belonging to others, will be punished by a fine of 150 Deutschemarks (East).

conversation, Dr. Conant gave Mayor Reuter the following information concerning details on current and future shipments of American food to the Federal Republic:

United States High Commission officials and representatives of the Federal Republic have worked out a tentative plan for future shipments under President Eisenhower's \$15 million food-stuff program for East Germans.

Beginning immediately, 5,000 tons of staple foods will arrive in Germany each week. It is planned to make weekly consignments totaling 5,000 tons carried in T.S. Fifty percent of the cargoes will consist of flour. The remaining 50 percent will be made up in equal quantities of cotton seed oil or soy oil, lard, pulses, and condensed or dried whole milk.

It is possible that some other commodities will be substituted in small quantities for the food mentioned above. These commodities could be citrus fruits, cocoa, and rice.

All items will be packed in the largest practicable containers to facilitate handling and repacking.

Four thousand five hundred tons of food have already arrived in Germany. The planned operation, involving 5,000 tons per week, will continue for approximately 9 weeks more.

Mayor Reuter indicated to the High Commissioner that in view of these plans he was prepared to continue the food distribution beyond August 15.

Statement by Ambassador Conant, August 2

I was greatly impressed by the efficient organization of the food distribution program for East Germans which I saw at several food centers I visited today. The West Berlin authorities are to be congratulated on the manner in which they have handled this great humanitarian operation.

The large crowds I saw at the various centers—although I am told they were smaller than usual—the patient manner in which they waited for their packages, are to me the clearest proof of the need for food which exists in the Soviet Zone. It was heartening to know we Americans are helping to relieve this distress.

I am informed that the Soviet Zone authorities are attempting to halt the flow of these unfortunate people by prohibiting the sale of rail tickets to Berlin. I can think of no more flagrant example of the callous disregard by the Communists of the welfare of the people of their zone than this deliberate effort to prevent hungry people from getting food they need which is being made available to them in West Berlin.

I am confident that Communist terror will not in the long run prove to be an adequate substitute for food.

Ambassador Conant to Soviet High Commissioner Vladimir Semenov, August 4

Reports have come to my attention of the suggestion that funds on deposit in the United States in the name of the Notenbank be used for the purchase of food for Eastern Germany.

My Government is genuinely concerned for the welfare of the people of Eastern Germany and is anxious to do everything feasible to assist in alleviating the suffering in that area. I will be pleased, therefore, to receive any proposals you may wish to make to utilize the funds of the Notenbank for the purchase of food in the United States for the people of Eastern Germany. You may be assured that any such proposals which contain adequate safeguards to assure that the food purchased is devoted to that purpose will be forwarded promptly to my Government with recommendations that such authorization as may be appropriate be given.

Release of Balloons by Crusade for Freedom

Press release 409 of July 31

Following is the text of a note to the Czechoslovak Government delivered on July 31 by the U.S. Embassy at Prague to the Ministry of Foreign Affairs in reply to the latter's note of July 20, 1953, the substance of which is printed below, concerning the release of balloons by the Crusade for Freedom from the U.S. Zone of Germany:

Text of U.S. Note of July 31

The American Embassy presents its compliments to the Czechoslovak Ministry of Foreign Affairs and with reference to the Ministry's Note of July 20, 1953, concerning the release of balloons from the United States Zone of Germany has the honor, upon instructions of the United States Government, to make the following reply:

The balloons apparently in question were released by the Crusade for Freedom, an organization established by private American citizens. The United States Government has ascertained that the balloons were released for the purpose of communicating with the people of Czechoslovakia.

It is a fundamental conviction of the American Government and people that free communication between peoples constitutes a principle upon which the very life of the international community should be founded. If any government attempts to erect a wall sealing off its people from contact with the outside world, it is inevitable that ways will be found both by the people inside that country and by the peoples of other countries outside to penetrate that artificial barrier and maintain some line of contact with one another. The use of those

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outside of such media as balloons confirms that the Czechoslovak Government has created a barrier interfering with free communication. The United States believes that the best assurance that this means of communication will not be used is to obviate the need for it by permitting what is natural and necessary in the modern world, namely, free contact between nations and the free exchange of information and ideas.

As for the content of the messages carried to Czechoslovakia by this medium, it is understood that they contained information on current developments in Central and Eastern Europe and in addition various statements focusing on the idea of "freedom". There would be no reason for a government to be disturbed about the principle of freedom in a message to its people if conditions of freedom actually existed in that country. One cannot readily believe that the Czechoslovak Government would even raise this issue with the United States Government if the fundamental freedoms were observed in Czechoslovakia and if the Czechoslovak Government were not now especially concerned about the attitude of the people toward the absence of those freedoms.

The United States Government cannot agree that the transmission of these messages to the people of Czechoslovakia from the territory of the United States Zone of Germany by the Crusade for Freedom Committee involved any misuse of the position of the United States as an occupying power. Such communication is clearly not contrary to any quadripartite agreements affecting Germany. Nor does such communication violate any other international agreement to which the United States Government is a signatory.

With reference to efforts to strengthen world peace the United States, as is generally known, has endeavored in every practicable way to work step by step, in accordance with the deep interests of the American people in permanent peace and in cooperation with other countries, toward building an enduring structure of international peace and stability. The United States seeks to help bring about a relaxation of international tension whenever there are genuine possibilities of doing so. It is recognized at the same time that true international tranquillity presupposes conditions which assure human rights and fundamental freedoms for the people concerned.

Substance of Czechoslovak Note of July 20

In the past few days balloons were dispatched over the territory of the Czechoslovak Republic, containing leaflets of an inciting nature aimed at disquieting the population of the Czechoslovak Republic and instigating them to activities against the state.

This new attempt to influence the Czechoslovak working people by means of propaganda of so

primitive a level was naturally met by scorn and disdain and would in itself not merit mention.

The matter, however, is of consequence in view of the fact that the entire action was prepared and carried out by citizens of the United States, sent to Germany for that very purpose, and that [*sic*] on German territory under American occupation. This, then, is but a new instance of the Government of the United States of America grossly misusing its position of an occupying power for ends, which are incompatible with quadripartite agreements on Germany, under which the United States of America committed themselves to exercise their occupation in accordance with the guiding principle that Germany must never again become a threat to world peace and to its neighbors.

Another important circumstance, which makes this new violation of fundamental principles of international law particularly contemptible, is that it took place at a time when the peoples of the entire world are intensifying their efforts for the strengthening of world peace and for the securing of international cooperation. The objective of this provocative action, organized under the auspices of American occupation authorities, is, however, to intensify the policy of the cold war and to obstruct the relaxation of international tension.

For these reasons the Government of Czechoslovak Republic protests resolutely against this act and demands that the Government of the United States of America advise it of the measures it has taken to prevent recurrence of similar provocations, which are aimed against peaceful co-existence among nations and constitute a flagrant interference into the domestic affairs of Czechoslovakia.

MSA Clearing House Service Opens in Israel and Philippines

The Mutual Security Agency (MSA) on July 27 announced that recent opening of field counseling centers in the Philippines and Israel has brought the Agency's Contact Clearing House Service into action for the first time in the Far and Middle East.

Israel and the Philippines now have joined with 13 Western European countries in utilizing this service, designed to help encourage and stimulate a greater flow of American private capital and/or industrial skills abroad.

The Contact Clearing House Service, conducted by MSA's Office of Small Business, helps individual private enterprises—regardless of size—here and abroad to find potential investment partners interested in entering into investment agreements involving capital and/or industrial patents, processes, techniques, equipment, and services. Once suitable contacts are arranged, the

service ends. It is then up to the individual firms to conduct their own negotiations, which may lead to the successful conclusion of an investment agreement of mutual benefit.

Approximately 6,000 industry associations, chambers of commerce, banks, and other organizations in the United States, Western Europe, Israel, and the Philippines are cooperating as field counselors under the Contact Clearing House Service. These volunteer counselors collect and disseminate specific investment proposals of private enterprises and arrange contacts between American and overseas firms interested in entering into investment arrangements.

Since inception of the service in Western Europe in 1950, American and European counselors have gathered and disseminated approximately 2,000 specific investment opportunities.

Inauguration of the Contact Clearing House Service in Israel and the Philippines will provide for a two-way exchange of investment opportunities between business firms in the United States and those in the two countries.¹

MSA Reports on Western Europe's Defense Production

Western Europe's industrial plant, mobilized to protect the free world against Communist aggression, has rolled up a 3-billion-dollar defense production record during the past 12 months and is aiming at higher output goals in the year ahead, the Mutual Security Agency (MSA) revealed in a report released on July 25.²

Titled "European Industrial Projects," the 42-page report says the past year's defense output, as reflected by the countries' defense expenditures, is almost three times that of 1950-51, when the attack in Korea aroused the non-Communist world to action.

The problems of restoring and expanding Western Europe's industrial facilities after World War II, with increased goals set after Korea, have been mainly a matter of European initiative and responsibility, according to the report. However, the mounting defense production would not have been possible without the financial assistance of the people of the United States through the Marshall Plan and the Mutual Security Program, it states.

¹ An explanatory booklet, "Contact Clearing House Service," is available from the Office of Small Business, Mutual Security Agency, 806 Connecticut Ave., NW., Washington 25, D. C.; from the 42 U.S. Department of Commerce field offices; and from MSA field counselors. The booklet contains forms which American firms may use to register their investment proposals with the Contact Clearing House Service for circularization abroad.

² Copies of the report may be obtained from the Office of Information, Mutual Security Agency, 806 Connecticut Ave., NW., Washington 25, D. C.

A large part of this American aid has been channeled through 134 major industrial projects—most of them requiring \$1,000,000 or more in dollar financing—which have been sponsored by MSA and its predecessor, the Economic Cooperation Administration (ECA). In these projects, the Europeans have provided almost four times as much capital as has U.S. aid.

These projects have rebuilt war-ravaged plants, restored installations which for years lacked maintenance, replacement, and modernization, and financed new ventures in industry in France, Italy, the United Kingdom, Turkey, Greece, Austria, the Netherlands, Belgium, Norway, Portugal, Iceland, Western Germany, and Denmark.

The 134 major projects have cost an estimated \$2.6 billion equivalent, representing a capital outlay by Europeans for plant expansion of more than \$2 billion equivalent in their own resources and more than a half-billion dollars authorized under U.S. economic and defense support. These dollars were used to purchase modern American machinery, equipment, and other industrial goods and services necessary for the industrial project installations.

The remaining equipment and supplies from dollar areas, essential to complete the industrial projects now underway, will be provided during the current fiscal year, the report says. "When finally completed," it concludes, "these projects will increase further the defense production capacity of the Western European countries and in time will enable living standards to seek higher levels, thus making a lasting contribution to the economic and political stability of the area."

The MSA report points out that by mid-1950, Western Europe had largely achieved the production objectives set under the Marshall Plan. When Korea forced higher production goals oriented toward defense, the large-scale industrial projects assumed even greater importance than before. Industries basic to the civilian economy are also basic to rearmament and defense, the report notes.

More than 60 percent of the MSA-ECA funds authorized for the projects in Europe went into production of steel and power. These and other almost equally important areas of industry—petroleum refining, raw materials extraction, and transportation and communication—which together received more than 80 percent of the authorized dollar financing, receive special attention in the MSA report.

Some 30 iron and steel projects—six in France, ten in Italy, two in the United Kingdom, six in Austria, the others in Belgium, the Netherlands and Portugal—have helped to more than double the total production of steel since 1947. Steel output in calendar year 1952 was an alltime high, 25 percent above the prewar level.

The industrial revival and expansion in Europe since 1947 would have been impossible without

ever-increasing amounts of electric energy. In recognition of this need, the MSA report states, almost \$140 million of U.S. financing was approved in 31 projects for purchase of essential power equipment and for American engineering services, while Europeans invested in these projects the equivalent of \$255 million. These dollar-aided projects, however, represented about 8 percent of the new electric power capacity installed in Western Europe in the period 1949-53.

Although a minimum of 2 to 5 years is necessary for design, manufacture, and installation of power facilities, Western Europe's generating capacity has been increased by nearly 19 million kilowatts in the past 4 years. The first of the ECA-aided plants were in operation early in 1952, and completed plants have been adding their new sources of power almost monthly since that time under the MSA-ECA industrial projects program. These plants are located in seven countries.

Most of the dollar-aided power plants have modern American-designed thermal units of a type not previously installed in Europe, the MSA report points out. Designed to burn a low grade of fuel which was considered of little commercial value, these plants are of particular importance to the European economy because they increase power generation without a proportionate increase in the use of high cost fuels, which in many cases would have to be imported.

The completion of the European petroleum refinery program is now in sight, according to the MSA report, and the July 1 crude oil refining capacity is four times that of 1948. As a result of the increased capacity, Europe now imports the bulk of its petroleum requirements in the form of crude oil rather than refined products, thus being able to cut its foreign currency outlay for oil roughly in half.

The report also touches on other major projects in the field of coal, iron ore, and potash mining and oil drilling, in road building, air transport, waterways, and harbor improvement. Charts and statistical tables cover all the MSA-ECA-aided projects. Besides those mentioned, other areas for these projects range from pulp and paper manufacturing to irrigation and grain storage facilities.

Three-Man Evaluation Team To Review Operation of the MSP

Harold E. Stassen, Director for Mutual Security, on July 24 announced the formation of a three-man evaluation team to assist him in reviewing the efficiency and organization of the Washington staffs of agencies involved in the operation of the Mutual Security Program.

The team is composed of Walter J. Finke, Vice President, Minneapolis-Honeywell Regulator Company, Minneapolis, Minn.; Leslie M. Gravlin,

Director, Governmental Research Institute, Hartford, Conn.; and John L. Moore, Comptroller, University of Pennsylvania, Philadelphia, Pa.

Earlier this year, a group of 55 business and financial leaders made a similar evaluation study for the Director for Mutual Security in 14 Western European, Middle Eastern, and Far Eastern countries.

The Washington study, Stassen said, is a followup of the overseas studies of the first evaluation group.

Announcing the appointment of the group, Stassen said:

I am grateful to Messrs. Finke, Gravlin, and Moore for agreeing to come to Washington and aid me in streamlining our operations in Washington. As a result of steps taken by President Eisenhower to set up more orderly organizational arrangements to develop and carry out United States foreign policy, it is necessary for me to create a Washington staffing pattern which will achieve a positive interchange of experience and coordination of programs and strengthen them individually and collectively.

Through the work of this three-man group, we can gain the same independent, business judgment on the Washington organization that has been so useful on our overseas arrangements as a result of the earlier evaluation study.

The three members will report to Stassen on the Washington organization with recommendations concerning necessary consolidations as the result of the President's Executive order 10458, transferring the Technical Cooperation Administration and other mutual security functions from the Department of State to the Director for Mutual Security.¹

The evaluation team began its studies last week and expects to conclude its report in about a month.

Current Legislation on Foreign Policy

Authorizing the Loan of Certain Naval Vessels to Certain Foreign Governments. Report (To accompany S. 2277). S. Rept. 497, 83d Cong., 1st Sess. 3 pp.

Authorizing a Loan of Two Submarines to the Government of Italy and a Small Aircraft Carrier to the Government of France. Report (To accompany S. 2277). H. Rept. 756, 83d Cong., 1st Sess. 4 pp.

Inclusion of Escape Clauses in Existing Trade Agreements. Message From the President of the United States Transmitting A Report on the Inclusion of Escape Clauses in Existing Trade Agreements, Pursuant to Subsection (B) of Section 6 of the Trade Agreements Extension Act of 1951, Public Law 50, Eighty-Second Congress. H. Doc. 205, 83d Cong., 1st Sess. 2 pp.

State Department—File Survey. Hearings before the Subcommittee on Investigations of the Committee on Government Operations, United States Senate, Eighty-Third Congress, First Session Pursuant to S. Res. 40 A Resolution Authorizing the Committee on Government Operations to Employ Temporary Additional Personnel and Increasing the Limit of Ex-

¹ For text of this order, see BULLETIN of June 15, 1953, p. 854.

- penditures. Part 1, February 4, 5, and 6, 1953. 80 pp.; Part 2, February 16 and 20, 1953. 103 pp.
- Debt Agreements With the Federal Republic of Germany. Report (To accompany Executives D, E, F, and G, Eighty-Third Congress, First session). S. Exec. Rept. 3, 83d Cong., 1st sess. 15 pp.
- International Convention To Facilitate the Importation of Commercial Samples and Advertising Material. Message From the President of the United States Transmitting A Certified Copy of an International Convention To Facilitate the Importation of Commercial Samples and Advertising Material, Dated at Geneva, November 7, 1952. S. Exec. Q, 83d Cong., 1st sess. 11 pp.
- Trade Agreements Extension Act of 1953. Statements on H. R. 5485 Submitted to the Committee on Finance, United States Senate, and Summary of Testimony on Related Provisions of H. R. 4294 Before the House Committee on Ways and Means, Eighty-Third Congress, First Session. June 1953. 600 pp.
- Customs Administration. Report (To accompany H. R. 6584). H. Rept. 1046, 83d Cong., 1st sess. 9 pp.
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New U. S. Action Program for Human Rights

NINTH SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS, APRIL 7-MAY 30

by Mrs. Oswald B. Lord

The Ninth Session of the Commission on Human Rights, held at Geneva from April 7 to May 30, 1953, marked a significant point in the development of this important U.N. organ. The session began with an announcement by the U.S. representative that our Government did not intend to sign or ratify the Draft Covenants on Human Rights, to which the Commission had devoted virtually its entire attention since 1948, and it closed with a preliminary discussion of three U.S. draft resolutions for a new action program. The Commission devoted 6 weeks of the 8-week session to reviewing two sections of the Draft Covenant on Civil and Political Rights; it reorganized its Subcommittee on the Prevention of Discrimination and the Protection of Minorities, and reviewed the work of the Subcommittee; and it requested the Economic and Social Council to forward the U.S. draft resolutions to member governments and the specialized agencies for comment.

The Commission on Human Rights, like other U.N. organs, is broadly representative of the principal regions and political systems of the world. At the Ninth Session its 18 members included, in addition to the United States, two Latin American countries, Chile and Uruguay; four Middle Eastern and South Asian countries, Egypt, India, Lebanon, and Pakistan; two Far Eastern countries, China and the Philippines; four European countries, Belgium, France, Sweden, and Yugoslavia; two British Commonwealth countries (in addition to Pakistan), Australia and the United Kingdom; and three of the Soviet group, Poland, Ukraine, and the U.S.S.R. The Ninth Session was considerably different in composition from the previous one: one of the States, Greece, had been replaced by the Philippines; and nine other members, including the United States, were represented by different delegates. In opening the session, the acting chairman, René Cassin, paid tribute to its two former chairmen who had served the Com-

mission with distinction and who were no longer participating in its work—Mrs. Franklin D. Roosevelt (United States) and Charles Malik (Lebanon).

The Commission elected the following officers by a unanimous vote: Mahmoud Azmi (Egypt), chairman; René Cassin (France), first vice-chairman; Italo E. Perotti (Uruguay), second vice-chairman; and G. Kaeckenbeeck (Belgium), rapporteur.

The U.S. delegation was composed of the following: representative, Mrs. Oswald B. Lord; principal adviser, Philip Halpern, associate justice of the Appellate Division of the New York State Supreme Court, Third Department; advisers, James Frederick Green, deputy director, Office of U.N. Economic and Social Affairs, and Warren E. Hewitt, Office of the Legal Adviser, Department of State.

Draft Covenants on Human Rights

The session began under unusually dramatic circumstances. On April 6, Secretary Dulles informed the Senate Committee on the Judiciary that the new administration considered that treaties were not the proper approach to the promotion of human rights and that the United States would not sign or ratify the Draft Covenants on Human Rights.¹ When the Commission session opened at Geneva the following day, the U.S. representative released the text of a letter from Secretary Dulles which set forth the new U.S. position in detail. On April 8, the U.S. representative, in an introductory statement, explained the new U.S. position and outlined three proposals for a new action program that would be formally introduced later—annual reports, studies on specific aspects of human rights, and advisory services. Included in this statement was

¹ BULLETIN of Apr. 20, 1953, p. 592.

a warm personal message from President Eisenhower to the members of the Commission.²

A number of representatives expressed regret and disappointment over this announcement, while others voiced their appreciation for the President's message and for the frankness with which the U.S. representative had spoken. The Commission then proceeded, in accordance with the mandate of the General Assembly, to continue the drafting of the Covenants. As its representative had announced, the United States, as a loyal member of the United Nations, took part in this technical drafting.

COMPLAINT MACHINERY

The Commission devoted its opening weeks to a revision of part IV of the Draft Covenants, containing machinery by which a Human Rights Committee might consider complaints by States Parties to the Covenant.³ Part IV, consisting of articles 33 to 59 (now articles 27 to 48), provided for the establishment of a Human Rights Committee and prescribed its composition, election, functions, procedure, and jurisdiction. This complaint machinery was drafted at the 1950 and 1951 sessions to apply to civil and political rights, but no decision was taken at the 1953 session as to whether the machinery would also be included in the Covenant on Economic, Social, and Cultural Rights.

The Commission devoted special attention to eliminating ambiguities and inconsistencies in the text and made a number of improvements. Owing to divergencies of opinion and procedural difficulties, however, the Commission deleted two important articles: article 43, providing that the members and secretary of the proposed Committee should enjoy diplomatic privileges and immunities, and article 53, providing for the elimination of duplication between the Committee and other U.N. organs and the specialized agencies. It also deleted, as superfluous, article 59 concerning the duties of the secretary of the Committee.

Throughout the debates on the implementation articles under part IV, the Soviet, Ukrainian, and Polish delegations consistently opposed the establishment of any complaint machinery under the Covenants, arguing that implementation of the obligations assumed should be left to each party. It is worthwhile to note that this divergence in attitudes between the Soviet bloc and other states which intended to agree to an effective implementation machinery affected the position of these two groups of states in subsequent debates on the substantive articles. States which were prepared to accept effective implementation were forced to

insist on realistic phraseology in other articles, such as that on the right to suffrage, in contrast to the Soviet position favoring broad, loosely phrased expressions, more appropriate as propaganda slogans than as provisions of a binding international agreement.

By far the most significant decisions taken in the revision of this text related to the controversial subject of self-determination. The first decision concerned article 40 (originally article 52), which provides that if a State Party to the Covenant considers that another State Party is not giving effect to "a provision of the Covenant," it may bring the matter to the attention of that State and that, if the matter is not adjusted satisfactorily, either State may refer the matter to the Committee. This article had been drafted in 1951, before the General Assembly decided, in its 1951-1952 session, that an article on the self-determination of nations and peoples (now article 1) should be included in the Covenant. The French representative proposed that article 40 be amended so that it would apply to "a provision of the Covenant other than those of article 1," thereby excluding self-determination from the jurisdiction of the complaint machinery. This amendment was defeated by a vote of 5 in favor, 10 against, with 3 abstentions, the United States abstaining.

The Commission also decided to add a new article (now article 48) regarding the special obligations of States Parties which are responsible for the administration of any non-self-governing territories. The first clause of the new article provided that these States should report annually to the proposed Committee on measures taken to fulfill article 1, regarding the right of self-determination. The second clause contained the following very broad obligation:

The States parties to this Covenant, including those who are responsible for the administration of any non-self-governing territory, undertake, through elections, plebiscites or other recognized democratic means, preferably under the auspices of the United Nations, to determine the political status of such territory, should the Committee make a proposal to that effect and such proposal be adopted by the General Assembly. Such decision shall be based on evidence of the desire of the inhabitants of such territory as expressed through their political institutions or parties.

A third clause provided that the States Parties should report to the Committee any violations of the right of peoples (article 1, paragraph 3) to "permanent sovereignty over their natural wealth and resources."

This new article was adopted, after a long and controversial debate, by a vote of 9 to 6 with 3 abstentions, the United States voting in the negative.

Among the reasons which the representatives of Australia, Belgium, France, Sweden, the United Kingdom, and the United States gave for opposing this article were the following: (1) it was inadvisable to require annual reports on one

² For text of the Secretary's letter, the President's message, and Mrs. Lord's statement, see *ibid.*, April 20, 1953, p. 579.

³ *Ibid.*, July 7, 1952, p. 25.

article of the Covenant in advance of any decision with regard to reporting on the whole Covenant; (2) the second clause was discriminatory in that it was limited to non-self-governing and trust territories, whereas, as the United States pointed out, there were other territories whose peoples desire free democratic elections and independence; (3) the article transformed the proposed Committee from a quasi-juridical into a political one; and (4) the article would make ratification difficult for the Administering Powers.

NEW ARTICLES

The Commission then proceeded to debate several new articles for the Draft Covenant on Civil and Political Rights which it had not had time to consider at its 1952 Session. The U.S. delegation voted in favor of the first three of these new articles: political rights, rights of minorities, and penal systems. It was unable to support, however, four other articles: equal rights of men and women, an unnecessary repetition of a guarantee already included in an earlier article; protection of privacy; incitement to hatred and violence; and marriage and the family.

Right of Suffrage and Public Office—The Commission, in deciding upon the insertion into the Covenant on Civil and Political Rights of a new article on elections and public office, rejected a Soviet proposal and adopted an amended joint proposal submitted by France and Yugoslavia. The new article, as proposed by the Soviet representative, would have provided for a guarantee by the State to every citizen of the right to take part in government, to elect and be elected, and to occupy any public office. Also, under this proposal there was to be no qualification on the right to vote. In contrast to the Soviet formulation of a State guarantee, the French-Yugoslav proposal referred to the rights possessed by every citizen to take part in the conduct of public affairs, to have equal access to public service, and to vote and be elected at elections, with the important provision, which was lacking in the Soviet draft, that such elections should "guarantee the free expression of the will of the electors." The Commission rejected the Soviet concept of State-guaranteed political rights by a vote of 5 to 7 with 5 abstentions, the United States voting in the negative. It then adopted the French-Yugoslav proposal, as amended, by a vote of 9 to 1 with 7 abstentions, the United States voting in the affirmative.

Interestingly enough, the three Soviet delegations apparently realized later that they had made a mistake in appearing not to have supported political rights and opportunities, even when the particular text was co-sponsored by Yugoslavia; hence, they requested that they be considered as having voted affirmatively.

The text of the new article 23 reads as follows:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 of this Covenant and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) Of access, on general terms of equality, to public service in his country.

Rights of Minorities—Proposals for this new article similarly provoked a controversy over the basic approach to liberty. The Soviet delegation proposed an article beginning "The State shall ensure to national minorities . . ." The Yugoslav delegation took an opposite but equally extreme approach: "Every person shall have the right to show freely his membership of an ethnic or linguistic group . . ." The Subcommission on Prevention of Discrimination and Protection of Minorities, placing the emphasis on limiting restrictions on minorities, proposed that "Persons belonging to ethnic, religious or linguistic minorities shall not be denied the right . . ." After the Soviet text was rejected and the Yugoslav text was withdrawn, the Commission adopted the Subcommission proposal by a vote of 12 to 1 with 3 abstentions, the United States voting affirmatively.

The text of the new article 25 reads as follows:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

Penal Systems—A French proposal concerning the rights of persons deprived of their liberty was unanimously adopted. The text of the new article 10 reads as follows:

1. All persons deprived of their liberty shall be treated with humanity.

2. Accused persons shall be segregated from convicted persons, and shall be subject to separate treatment appropriate to their status as unconvicted persons.

3. The penitentiary system shall comprise treatment directed to the fullest possible extent towards the reformation and social rehabilitation of prisoners.

Equal Rights of Men and Women—The Chilean delegation proposed an article providing that the States Parties "undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights." In the rather incongruous debate which followed, three women representatives—Mrs. Kamaladevi Chattopadhyay of India, Mrs. Agda Rössel of Sweden, and Mrs. Lord of the United States—opposed this article while support for the article came from many of the men, plus Mrs. Fryderyka Kalinowska of Poland.

The opponents pointed out that article 2 of the Covenant already provided that the civil and political rights will be respected and ensured "without distinction of any kind, such as race, colour, sex. . ." Repetition of this idea, they argued,

not only would be unnecessary and confusing, but might even weaken the effect of the earlier article. A Swedish amendment limiting the rights to those "set forth in this Covenant" was accepted. The amended Chilean text was then adopted by a vote of 10 to 4 with 3 abstentions, the United States voting negatively.

The new article 3 reads as follows:

The States Parties to the Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in this Covenant.

Right of Privacy—The Philippine delegation introduced a new article, based upon the broad language of article 12 of the Universal Declaration of Human Rights, providing that no one should be subjected to "arbitrary or unlawful interference with his privacy, home, or correspondence, nor to attacks upon his honour and reputation." Judge Halpern, speaking for the U.S. delegation, pointed out that it was difficult to state the first part of the proposal in legal terms that would be acceptable under all systems of jurisprudence. He urged that the proposal be limited to the prohibition of arbitrary interference by public authorities and that interference by private citizens be left to the domestic law of each country. As to the second part of the proposal, Judge Halpern urged that the prohibition be limited to "unwarranted" attacks; otherwise the clause could be invoked by an ill-intentioned government as a justification for suppressing the free expression of public opinion. In an effort to meet this objection, the word "unlawful" was inserted before the word "attacks" so that only "unlawful" attacks on honor and reputation were forbidden.

The amended text of new article 17—adopted by a vote of 12 to 0 with 4 abstentions, the United States abstaining—reads as follows:

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, home or correspondence, nor to unlawful attacks on his honour and reputation.
2. Everyone has the right to the protection of the law against such interference or attacks.

Incitement to Hatred or Violence—The Commission considered a proposal of its Subcommission regarding national, racial, or religious hostility and amended the proposal to provide for incitement to hatred as well as to violence. It adopted the revised article by a vote of 11 to 3 with 3 abstentions, the United States voting in the negative. Judge Halpern and others, while deploring the sort of propaganda at which this article was directed, expressed fear that such an article, with the addition of the word "hatred," might be used to justify suppression of freedom of speech and the press.

The debate on this article illustrated clearly that those who shared the Anglo-American tradition had a very different concept of the nature of freedom and of the function of government from

that held by other countries. The Anglo-American view was that government ought to be permitted to interfere with freedom of expression only in extreme cases, whereas other countries entertained the paternalistic view that the government ought to "protect" the citizen against evil or objectionable ideas. The divergence of philosophy illustrated by this article shows how difficult it is to agree upon a universally acceptable formulation of the nature of freedom.

The text of the new article 26 reads as follows:

Any advocacy of national, racial or religious hostility that constitutes an incitement to hatred and violence shall be prohibited by the law of the State.

Marriage and the Family—The Commission on the Status of Women during its 1953 session recommended that article 16 of the Universal Declaration, relating to the right to marry and found a family, be included in the Covenant. Objection was made that laws and customs differed so greatly in this field that it would be impossible to draft a satisfactory article for a treaty. The long debate on this controversial subject demonstrated the great difficulty of writing a satisfactory text on marriage and the family for inclusion in a treaty on human rights that would be consistent with the various profoundly different religious faiths, cultures, and legal systems.

The revised text was adopted by a vote of 10 to 0 with 7 abstentions, the United States abstaining. The new article 22 reads as follows:

1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.
2. The right of men and women of marriageable age to marry and to found a family shall be recognized.
3. No marriage shall be entered into without the free and full consent of the intending spouses.
4. The legislation of the States Parties to this Covenant shall be directed towards equality of rights and responsibilities for the spouses as to marriage, during marriage and at its dissolution. In the last-mentioned case the law shall lay down special measures for the protection of any children of the marriage.

The Commission rejected a Soviet proposal requesting the General Assembly to review its resolution calling for two separate Covenants rather than a single Covenant. The vote was 6 in favor, 9 against (including the United States), and 1 abstention. The Commission did not have time to review part V of the Draft Covenants on reporting procedures, proposed new articles for the Covenant on Economic, Social and Cultural Rights, the federal-state article, a reservations article, and the final clauses. Neither Covenant was completed at this session. Both Covenants now lack a federal-state clause, a reservations article, and final clauses; and, in the case of the Covenant on Economic, Social and Cultural Rights, the proposed new articles and implementation machinery remain for consideration.

The U.S. delegation expressed regret that lack of time prevented the Commission from consider-

ing the inclusion of a federal-state clause in the Draft Covenants. At the previous session, the representatives of Australia, India, and the United States had jointly submitted a federal-state article which would provide that the Covenant "shall not operate so as to bring within the jurisdiction of the federal authority of a federal State . . . any of the matters referred to in this Covenant which, independently of the Covenant, would not be within the jurisdiction of the federal authority." A federal-state article has been considered necessary by governments of federal states because of the special constitutional problems involved regarding the division of powers between the national government and the governments of the states or provinces, and the effect which ratification of a treaty such as the Covenants on Human Rights would have on this division of powers. The U.S. delegation was prepared to support the inclusion of a federal-state article in the Draft Covenants, if time had permitted a debate, on the grounds that such an article is essential for other federal states in the United Nations, even though the United States itself does not intend to sign or ratify the Covenants.

Subcommission on Discrimination and Minorities

For the first time since 1950, having been preoccupied with the Draft Covenants at its previous two sessions, the Commission reviewed the work of its Subcommission on the Prevention of Discrimination and the Protection of Minorities. This Subcommission, established in 1947, has been composed of 12 individual experts, including Jonathan Daniels of the United States.

The Commission first reviewed 13 draft resolutions submitted by the Subcommission in its 1951 and 1952 sessions; 6 on discrimination; 4 on minorities; and 3 on general subjects.

Four of the resolutions on discrimination adopted by the Commission, with the concurrence of the U.S. delegation, dealt with general measures to prevent discrimination. One resolution requested the Secretary-General to collect and make available anti-discrimination provisions, in particular those formulated under the League of Nations and the United Nations, to serve as precedents when constitutional or statutory provisions are to be elaborated. A second recommended that members of the United Nations review their national legislation and administrative practices with a view to abolishing all measures of discrimination. A third resolution provided for increased coordination of the activities of international nongovernmental organizations in combatting discrimination. A fourth resolution recommended action to eliminate discrimination against persons born out of wedlock.

The Commission rejected a proposal that UNESCO be invited to make a thorough study of "erroneous views concerning religion" and to pre-

pare suggestions clarifying misunderstandings of any religions by the adherents of any other religions. A representative of UNESCO stated that the organization did not wish to be entrusted with the proposed studies. The draft resolution was rejected by the unusual vote of 0 in favor, 8 against (including the United States), with 8 abstentions.

The Commission adopted a resolution requesting the General Assembly to reiterate its appeal to governments to accelerate ratifications or adherences to the Genocide Convention. The vote was 11 to 0 with 3 abstentions, including the United States.

The Commission devoted considerable time to discussion of a definition of the term "minority" and to several interim measures proposed by the Subcommission for the protection of minorities. The more the debate progressed, the more it became apparent that the Commission could not agree on the proposed definition. The Commission ultimately decided with the concurrence of the U.S. delegation merely to note the results of the work of the Subcommission "with appreciation" and to request the Subcommission to proceed with its work in this field.

The Commission also adopted, with U.S. support, resolutions recommending that special attention be paid to the protection of any minority in the establishment of new States or of new boundary lines between States, and that the Secretary-General keep an up-to-date collection of provisions for the protection of minorities.

Two resolutions of a general character were approved, with U.S. support, one recommending that technical assistance services be extended to aid members of the United Nations to combat discrimination, and the second requesting the Secretary-General to prepare a publication containing an account of the work of the United Nations with regard to discrimination and minorities. Two other draft resolutions relating to the relevant work of UNESCO were not acted upon by the Commission, after the representative of UNESCO had stated that the organization would devote a special chapter of its report to the Economic and Social Council to its work in the field of discrimination and minorities.

The Subcommission's program of future work was approved by the Commission, after considerable controversy and the adoption of several amendments. The program includes studies on discrimination in the fields of education, employment and occupation, political rights, religious rights and practices, residence and movement, immigration and travels, the right to choose a spouse, and enjoyment of family rights, as well as measures for the cessation of any advocacy of national, racial, or religious hostility that constitutes an incitement to hatred and violence. The vote was 10 to 1, with 5 abstentions. The U.S. delegation abstained because it felt that much of the proposed program in the field of discrimination

would duplicate work already undertaken by other U.N. organs or the specialized agencies. The United States further noted that provision for studies of measures to combat incitement to hatred and violence—the Commission amended the Subcommission text, as it had done in the case of the new Covenant article, to include the word “hatred”—would constitute a dangerous threat to the free exchange of ideas.

The Commission concluded its consideration of this item with a reorganization of the Subcommission. It invited the Economic and Social Council to provide that the Subcommission meet annually in a 3-week session and that the next session be convened in January 1954. The Commission elected the following to serve in the Subcommission until December 31, 1956: Charles D. Ammoun (Lebanon); Jorge Bocobo (Philippines); P. Chatenet (France); Nikolai P. Emelyanov (U.S.S.R.); R. Hiscocks (U.K.); Mrs. Oswald B. Lord (U.S.); R. Masani (India); M. A. Mohammed (Egypt); H. Roy (Haiti); H. Santa-Cruz (Chile); Max Sörensen (Denmark); Joseph Winiewicz (Poland).

U.S. Proposals for an Action Program

The Commission devoted less than 8 hours to consideration of the new U.S. proposals for an action program, but this brief debate may affect the future work of the United Nations concerning human rights more than any other action taken at the Ninth Session.

In my opening speech, as indicated previously, I outlined three proposals that our Government felt were best suited to furthering the Commission's task of promoting human rights. For several weeks thereafter, our delegation discussed these proposals on the basis of informal working papers in private conversations with other delegations, representatives of the nongovernmental organizations, and representatives of the International Labor Office, UNESCO, and the World Health Organization. These consultations were of great value to us in perfecting the three draft resolutions, which incorporated many of the comments and suggestions we received.

The three draft resolutions may be summarized briefly as follows:

1. Each member of the United Nations should transmit each year a report on results achieved and difficulties encountered in the promotion and development of human rights, for consideration by the Commission; member governments might be assisted in the preparation of their reports by an advisory body of experienced and competent persons; and the Commission should consider these annual reports and submit to the Economic and Social Council such comments and conclusions thereon as it might deem appropriate.

2. The Commission should initiate studies of

specific aspects of human rights on a worldwide basis and at each session should select a specific subject or subjects for study, assisted by an expert adviser appointed by the Secretary-General. The expert advisers should have access to information from member governments, specialized agencies, and nongovernmental organizations and to all other information in the possession of the Secretary-General, including communications received by the United Nations concerning human rights.

3. The United Nations and the specialized agencies should provide technical assistance and advisory services in the whole field of human rights, including freedom of information, participation in government and civic affairs, and prevention of discrimination and protection of minorities.

On May 19 the Commission, just before beginning its debate on the reports of the Subcommission, decided to hear the statement of the U.S. representative introducing the three draft resolutions.⁴ In this statement I pointed out that, of all the functional and regional commissions established by the Economic and Social Council, the Commission on Human Rights was the only one that has been limited almost entirely to the drafting of international instruments, and that the time had come, now that the completion of the Covenants was in sight, for this Commission, like the Social Commission and others, to turn its attention to the practical problems of helping all governments and peoples to move ahead in the advancement of their well-being. I noted that our three proposals are not entirely new in scope, that they are merely an outline of an action program, that this program is experimental in character, that the three proposals do not in any way exhaust the possibilities for action by the Commission, and that the initiation of this program would help return the Commission to the broad and constructive work for which it was originally intended. With regard to the last point, I pointed out that, because the Commission has been preoccupied with the drafting of the Covenants, many of the activities with which it could otherwise have been concerned—such as freedom of information, forced labor, slavery, and prisoners of war—have had to be performed by other, *ad hoc* bodies.

After presenting a detailed explanation of each of the draft resolutions, I concluded as follows:

It is our profound hope that these draft resolutions will help to enable the Commission—and the world—to move forward toward the goals laid down in the Charter and in the Universal Declaration of Human Rights. We believe that this three-point program can be effective in advancing human rights in our time.

There was time for only a brief and inconclusive debate on the first draft resolution, concerning annual reports. A number of amend-

⁴ For texts of Mrs. Lord's statement and the three draft resolutions, see *ibid.*, June 15, 1953, p. 842. Also available as Department of State publication 5124.

ments were submitted, and our delegation issued two revised texts to take account of those introduced by the representatives of France and Yugoslavia.

Both during our private consultations and in the course of the debate, a number of representatives expressed interest in the U.S. proposals and asked questions or made suggestions that will require careful consideration. There seemed to be at least four major objections to the proposed new action program:

1. The Soviet representative charged that the U.S. delegation proposed to "jettison" the Draft Covenants, just as they were nearing completion, in favor of its own proposals. Our delegation replied that it had not tried to block the work of the Commission on the Draft Covenants, that it had participated in that work, and that its proposed new program was designed to supplement and expand the work of the United Nations in the field of human rights.

2. Several representatives questioned the legal basis of the U.S. proposals, and the Soviet representatives asserted that they violated article 2 (7) of the Charter, concerning the domestic jurisdiction of member states. The U.S. delegation replied that its proposed action program was based upon article 55 of the Charter, which states that "the United Nations shall promote . . . universal respect for, and observance of, human rights and fundamental freedoms . . ." and article 56, by which "All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55." It was also noted that the proposals were consistent with article 62 of the Charter, concerning the functions and powers of the Economic and Social Council.

3. Some representatives asked how members of the United Nations could be requested to transmit annual reports on progress made in the promotion of human rights, and how the Commission could be expected to appraise that progress, without any criteria being established as to what constitutes progress. The U.S. delegation replied that the goals and criteria were set forth in the Universal Declaration of Human Rights and that the Commission would not pass judgment on the governments submitting the annual reports but would use the reports as sources of information in considering measures which should be taken in promoting human rights. We pointed out that this program would merely involve the kind of reports that many governments were now submitting to the *Yearbook on Human Rights*,⁵ and that the debates in the Commission on developments in the field of human rights would be similar to those undertaken each year by the Social

Commission in the social field and the Economic Committee of the Economic and Social Council in the economic field.

4. The view was expressed that our proposals for annual reports would place an excessive burden on governments and that far more detailed procedures would be required if the proposed system of reporting and special studies were to function successfully. The U.S. delegation replied that the three draft resolutions were merely an outline of a program and that, after they had been debated and revised, these procedures could be perfected as the program developed.

After it had become apparent that the Commission would not have sufficient time to give thorough consideration to the draft resolution on annual reports before taking a vote, the Commission decided to ask the Economic and Social Council to transmit all three draft resolutions, together with proposed amendments and records of the debate, to member governments and specialized agencies for comment by October 1, 1953.⁶ The vote was 13 to 3 (Poland, Ukraine, and U.S.S.R.), with 1 abstention.

Communications

The subject of communications, always a controversial one, arose on several different occasions at this session. At the present time the Commission does not review communications from individuals and groups; at each session it merely takes note of the distribution of lists of the communications received by the Secretary-General.

During the consideration of the complaint machinery for the Covenant on Civil and Political Rights, the Commission debated an amendment to article 52 (now article 40) submitted by Chile and India providing that the Covenant Committee should have the right to receive and consider communications from (a) selected nongovernmental organizations and (b) persons or groups of persons under the jurisdiction of a State Party, provided that they have the support of one of these nongovernmental organizations. Clause (a) was rejected on a tie vote of 7 to 7 with 4 abstentions, and clause (b) was rejected by 7 to 9, with 2 abstentions, the United States voting negatively on both occasions.

A second attempt was made, in connection with article 53, to empower the proposed Committee to consider communications. Article 53 had provided that the Committee should not deal with any matter "(a) for which any organ or specialized agency of the United Nations competent to do so has established a special procedure by which the States concerned are governed or (b) with which the International Court of Justice is

⁵ For text of the U. S. contribution to the 1951 *Yearbook*, see *ibid.*, Feb. 2, 1953, p. 178.

⁶ On July 10, the Social Committee of the Economic and Social Council accepted this proposal, revised to read "as far as possible by October 1, 1953." The vote was 16 to 2 (Poland, U.S.S.R.), with no abstentions.

seized. . . ." The Yugoslav representative proposed an amendment virtually nullifying this text and accepted a Chinese amendment to add the following:

No provision in this Covenant shall be construed as preventing the Committee from dealing with any matter concerning the alleged violation of human rights by a State whenever international instruments to which such State is a party, other than the present Covenant, recognize the competence of the Committee to examine complaints from other States parties to the said instrument or from sources other than States.

The phrase "sources other than States" was intended to permit the proposed Committee, if authorized to do so by another instrument or perhaps by a protocol to the Covenant, to examine communications from individuals and nongovernmental organizations.

The revised Yugoslav amendment was rejected by a vote of 7 in favor, 9 against (including the United States), with no abstentions. Because of the controversy provoked by this amendment and some confusion over procedure, as indicated previously, article 53 was afterward rejected entirely.

Later in the session, in considering its future work in connection with the United States proposals, the Commission debated a draft resolution submitted by Egypt, India, the Philippines, and Uruguay by which the Commission would be permitted to consider communications and to forward its recommendations to the Economic and Social Council. It decided, however, not to take any decision on the draft resolution, by a vote of 5 in favor, 9 against, with 2 abstentions, the United States voting negatively.

In preparing its second proposal for an action program, concerning studies of specific aspects of human rights, the U.S. delegation sought to take account of the desire of other delegations, as reflected in the debates and votes in the Commission, and of nongovernmental organizations that communications from individuals and groups should receive some kind of attention from the United Nations. At the same time, our delegation reaffirmed the position taken at previous sessions against any procedure that would enable propagandists to promote their causes and irresponsible persons to air their grievances in the U.N. body. The U.S. delegation proposed, in its second draft resolution, that the expert advisers, in the preparation of their studies, should have access to, *inter alia*, communications received by the United Nations concerning human rights. Thus these communications would be used by an expert adviser, under strict safeguards, only as part of the mass of raw material available for his study.

The Ninth Session of the Commission on Human Rights was chiefly significant for the fact that there was placed before the Commission a new program providing for practical measures which might be taken by the Commission in pro-

moting more widespread observance of human rights throughout the world. A hopeful beginning was made by the Commission in its brief consideration of the first proposal, concerning annual reports. I feel certain that once this new program has been fully discussed, revised, and adopted, the Commission on Human Rights will then begin to play a more effective and helpful role in assisting Governments and peoples to attain the goals of the United Nations Charter in the field of human rights.

• *Mrs. Lord, author of the above article, is U.S. representative on the U.N. Commission on Human Rights.*

United Nations Day, 1953

A PROCLAMATION¹

WHEREAS the United Nations provides the peoples of the world with an organization through which international differences in the economic and political fields can be peacefully resolved; and

WHEREAS the need for the United Nations is greater than ever before, and its success depends on the extent to which its members give it support; and

WHEREAS the expression of our faith in and support of the United Nations will encourage and bring hope to the peoples of other nations who are also working toward a true peace with freedom and justice for all; and

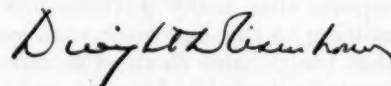
WHEREAS the General Assembly of the United Nations has declared that October 24, the anniversary of the entry into force of the United Nations Charter, should be dedicated each year to the dissemination of information concerning the aims and accomplishments of the United Nations:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby urge the citizens of this Nation to observe Saturday, October 24, 1953, as United Nations Day by sending messages to friends, relatives, and associates in other member countries of the United Nations, by learning more about the United Nations and its members, and by expressing their confidence in the United Nations, their friendship for other peoples, and their faith in the ultimate triumph of peace and justice through the efforts of men of good will.

I also call upon the officials of the Federal, State, and local Governments, the United States Committee for United Nations Day, representatives of civic, educational, and religious organizations, agencies of the press, radio, television, motion pictures, and other communications media, and all citizens to cooperate in appropriate observance of this day throughout our country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this thirty-first day of July in the year of our Lord nineteen hundred [SEAL] and fifty-three, and of the Independence of the United States of America the one hundred and seventy-eighth.



By the President:

JOHN FOSTER DULLES
Secretary of State

¹ No. 3026; 18 Fed. Reg. 4589.

U.S. Delegations to International Conferences

Congress of Zoology

The Department of State on July 31 announced (press release 411) that the U.S. delegation to the XIVth International Congress of Zoology which will be convened at the University of Copenhagen, Copenhagen, August 5-12, will be as follows:

Delegates

Karl P. Schmidt, Ph. D., *Chairman*, Chief Curator of Zoology, Chicago Natural History Museum
E. R. Hall, Ph. D., *Alternate Chairman*, Professor of Zoology, University of Kansas
E. R. Mayr, Ph. D., *Curator*, American Museum of Natural History, New York, N.Y.
Gothold Steiner, Ph. D., *Bureau of Plant Industry, Soils and Agricultural Engineering*, Department of Agriculture
Emil Witschi, Ph. D., *Professor of Zoology*, State University of Iowa

The quinquennial congresses in this series are organized to facilitate the study of the problems of general zoology and to bring together zoologists from all over the world for the exchange of the results of recent research in such fields as genetics of populations, animal husbandry, and control of pests. The first such congress was held in 1889; the last, in 1948 at Paris. These congresses are held under the sponsorship of a committee of the International Union of Biological Sciences, a quasi-governmental organization to which the National Academy of Sciences-National Research Council adheres on behalf of the United States.

During the forthcoming meeting it is expected that there will be at least 20 sections for the discussion of specialized topics in the general field of zoology. Immediately prior to the XIVth Congress, a colloquium will be held by the International Commission on Zoological Nomenclature.

U.S. Transmits Final Report on Puerto Rico to U.N.

U.S./U.N. press release dated August 5

The U.S. mission to the United Nations on August 5 transmitted to the United Nations for the last time a report on Puerto Rico as a non-self-governing territory under article 73(e) of the charter. The report covers the fiscal year ending June 30, 1952. A limited number of copies are available at the U.N. press documents office.

A new constitution establishing the Commonwealth of Puerto Rico entered into force on July 25, 1952. The United States notified the Secretary-General on January 19, 1953, that in the light of Puerto Rico's new constitutional status the United States no longer considers it necessary or appropriate to submit information under article 73(e).¹ Subsequently, on March 23, 1953, Ambassador Henry Cabot Lodge, Jr., transmitted to the Secretary-General copies of the new constitution and other documents pertaining to the Commonwealth's new self-governing status.²

¹ BULLETIN of Feb. 9, 1953, p. 229.

² *Ibid.*, Apr. 20, 1953, p. 584.

U.N. Confirmations

The Senate on July 31 confirmed the following as U.S. representatives to the eighth session of the U.N. General Assembly, to serve no longer than December 31, 1953:

Henry Cabot Lodge, Jr.
James F. Byrnes
Mrs. Frances Payne Bolton
James P. Richards

Alternate representatives:

Archibald J. Carey, Jr.
James David Zellerbach
Henry Ford II
Dr. Charles W. Mayo
Mrs. Oswald B. Lord

U.S. Representative on ICAO Council

The White House announced on July 22 that the President had appointed Harold A. Jones to be U.S. representative on the Council of the International Civil Aviation Organization.

Current U.N. Documents: A Selected Bibliography¹

Economic and Social Council

Full Employment. Implementation of full employment and balance-of-payments policies. Replies of governments to the questionnaire on full employment, the balance of payments, and economic trends, objectives and policies in 1952 and 1953, submitted under resolution 520 B (VI) of the General Assembly and resolutions 221 E (IX), 290 (XI) and 371 B (XIII) of the Economic and Social Council. Contents: Australia, Belgium, Chile (Reply to part B), Czechoslovakia (Reply to part A), Ecuador (Reply to part B), Laos (Reply to part A). E/2408/Add.3, June 12, 1953. 78 pp. mimeo; Contents: Thailand. E/2408/Add.5, July 6, 1953. 22 pp. mimeo.

Full Employment. Analysis of replies of governments to the questionnaire on full employment, balance of payments and related policies, 1952-53. Report by the Secretariat. E/2445/Add.1, June 12, 1953. 27 pp. mimeo.

Report of the Ninth Session of the Commission on Human Rights. E/2447, June 6, 1953. 248 pp. mimeo.

Co-Ordination Between the United Nations and the Specialized Agencies. Review of 1954 Programmes of the United Nations and the Specialized Agencies. Information paper prepared by the Secretariat. E/2480, July 9, 1953. 16 pp. mimeo.

Statistical Commission and Economic Commission for Europe, Third Regional Meeting of European Statisticians. Report of Working Party on External Trade Statistics. E/CN.3/CONF.3/L.8, E/ECE/STAT.3/L.8, June 18, 1953. 7 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, N.Y. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

The U.N. Secretariat has established an Official Records series for the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, and the Atomic Energy Commission, which includes summaries of proceedings, resolutions, and reports of the various commissions and committees. Information on securing subscriptions to the series may be obtained from the International Documents Service.

THE FOREIGN SERVICE

Ambassador Stanton Retires

The Department of State announced on August 4 that Edwin Forward Stanton, Ambassador to Thailand, had retired from the Foreign Service, effective July 31.¹

Mr. Stanton entered the Foreign Service in 1921. He served successively in most of the U.S. posts in China until the outbreak of World War II, when he was interned by the Japanese in Shanghai. After his repatriation in 1942 he served in various capacities in the Department of State until 1945, when he was appointed consul general at Vancouver. In 1946 he was appointed American Minister to Siam (now Thailand), and the following year became the first American Ambassador to that country.

During Ambassador Stanton's 7 years in Thailand, the latter's relations with the United States and her solidarity with the free world in general have drawn steadily closer. Thai troops were promptly dispatched to serve with U.N. forces in Korea. Thailand has signed military and economic assistance agreements with the United States, and has in many other ways cooperated closely with this country and other nations of the free world. Ambassador Stanton played no small part in bringing about these cordial relations.

For reasons of health, Ambassador Stanton has been unable to accept further appointments in the Foreign Service which normally would have been offered to him, and has been constrained to offer his retirement.

Confirmations

The Senate on July 31 confirmed the following: Lester D. Mallory to be Ambassador to Jordan and William J. Donovan to be Ambassador to Thailand.

Consular Offices

Due to budgetary limitations, the American consulate at Bari is to be closed. It is planned to close the office to the public on August 14. After that date the consulate general at Naples will assume consular jurisdiction over the area formerly in the Bari consular district.

The office will be officially closed at a later date which will be announced as soon as possible.

The U.S. office at Bari will remain open pending U.S. determinations on its budget.

The consulate at Bradford, England, was closed to the public on June 11 and officially closed June 30. Responsibility for economic reports formerly originating in Bradford has been transferred to the Embassy at London. Consular functions are now divided between the consulates at Manchester and Newcastle, as follows:

To Newcastle: that portion of North Riding county formerly in Bradford district, and all of East Riding county;

To Manchester: that portion of West Riding county formerly in Bradford district.

On September 1, 1953, the consulate at Accra, Gold Coast, Africa, will be elevated to the rank of consulate general. The supervisory jurisdiction exercised by the consulate general at Lagos, Nigeria, Africa over the consulate at Accra will terminate on that date.

¹ For text of the President's letter on his retirement, see Department press release 421 dated Aug. 4, 1953.

Application of 1923 Friendship Treaty With Germany

STATEMENT BY SAMUEL C. WAUGH¹

The 1923 Treaty of Friendship, Commerce, and Consular Rights between the United States and Germany was the first of the post-World War I treaties of its type to be concluded during the tenure of Charles Evans Hughes as Secretary of State, and also the first friendship treaty concluded by Germany after World War I. For years thereafter, it was used as a model for similar treaties with other countries, including Austria, Estonia, Finland, Honduras, Hungary, Liberia, Norway, Poland, El Salvador, and Siam. These, in turn, provided the point of departure for developing the more recent treaties negotiated since World War II.

The treaty as signed was amended by an exchange of notes, dated March 19 and May 21, 1925, to give effect to certain Senate reservations concerning immigration and shipping matters. It entered into force on October 14, 1925, and remained in force without change until it was amended further, in 1935, by an agreement to terminate as of October 14 of that year the most-favored-nation provisions (the second, third, fourth, sixth, and seventh paragraphs) of article VII of the treaty. It should be noted, parenthetically, that reciprocal most-favored-nation treatment is presently accorded pursuant to the General Agreement on Tariffs and Trade to which both countries adhere.

The treaty as amended in 1935 remained in full force until the outbreak of hostilities between the United States and Germany in 1941. As a result of these hostilities and of certain actions taken by the Occupying Powers after the cessation of hostilities, the status of the treaty has become somewhat uncertain. Although there are some precedents in international law and judicial decisions which shed light on the effects of war on international treaties and agreements, these precedents and decisions are not sufficient to afford a sure guide as to the status of all the various provisions of a comprehensive treaty such as the one of 1923 with Germany.

Two examples may be cited. The Supreme Court has ruled that the provisions of article IV of the 1923 treaty, relating to the rights of inheritance and disposal of property, were not af-

¹ Made before a subcommittee of the Senate Committee on Foreign Relations on July 13 (press release 372). On the same day, Mr. Waugh, who is Assistant Secretary for Economic Affairs, made an additional statement (press release 371 dated July 13; not printed) concerning treaties of friendship, commerce, and navigation or related agreements between the United States and Greece, Israel, Ethiopia, Denmark, Italy, and Finland. The Senate on July 21 approved these six treaties, together with the agreement concerning the 1923 treaty with Germany.

affected by the outbreak of war and remained in force during hostilities. On the other hand, there is also a 1929 decision of that Court holding that the provisions of the Jay Treaty of 1794 with Great Britain, granting nationals of each party the right freely to enter the territory of the other, were abrogated by the War of 1812. In the light of that decision, a question has been raised as to the present status of similar provisions of article I of the 1923 treaty with Germany. Article I was the basis for issuing so-called "treaty merchant" visas to Germans which permitted German businessmen to reside in the United States with their families for an indeterminate period in order to carry on their business. In the absence of a specific decision by an appropriate court holding that the entry provisions of the 1923 treaty are presently binding upon the parties to that treaty, or until a new treaty which includes right-of-entry provisions enters into force between the United States and Germany, the Department of State is not prepared to issue "treaty merchant" visas to German nationals.

The desirability of removing uncertainties concerning the status of various provisions of the treaty was one of the subjects discussed at the time of the Chancellor's [Chancellor Konrad Adenauer] visit to this country early in April of this year. As indicated in the communique of April 9,² it was agreed that the conclusion of a new treaty of friendship, commerce, and navigation would be of benefit to both countries and that meanwhile, as an interim measure, negotiation of an agreement to restore to force the 1923 treaty should proceed.³

The purpose of the notes exchanged in Washington on June 2, 1953, which accompany the agreement, is to terminate article VI of the 1923 treaty concerning military service. One year from that date, German nationals will no longer be eligible for exemption from compulsory military service on the basis of treaty rights. This step was considered desirable because of the language of the Universal Military Training and Service Act of 1951, making aliens admitted to the United States for permanent residence liable for military service.

In the course of the negotiations, consideration was given to the question whether any provision was necessary to prevent the 1923 treaty being invoked to challenge vesting actions taken under the Trading with the Enemy Act. To obviate any possibility of this happening, the language of article I was drawn so as to insure that the agreement would have prospective effect only, and new vesting of German property has already ceased.

The purpose of article II of the agreement is

² BULLETIN of Apr. 20, 1953, p. 565.

³ For text of this agreement, see BULLETIN of July 20, 1953, p. 94. Text of the accompanying exchange of notes appears below.

to make explicit the rights in respect of property for governmental use which are believed to be implicit in article XIX of the 1923 treaty. The amendment to that article is in line with comparable provisions in the modern consular conventions entered into by the United States. It is considered desirable in order to reinforce U.S. title to property already acquired for governmental (other than military) purposes in the Federal Republic, particularly consular and other property in the various Laender. Reciprocally, it would reinforce the right of the Federal Republic to acquire similar property either in the District of Columbia or in the several States.

As indicated in article V of the agreement, the desirability of negotiating a modern treaty of friendship, commerce, and navigation was discussed and it has been agreed that negotiations will be undertaken in the near future. It is hoped that these negotiations can be brought to a successful conclusion in time for submission of a signed agreement to the Senate next year.

Since the consular provisions of the 1923 treaty are generally satisfactory, it is possible that they may be permitted to remain in force in connection with the contemplated new treaty of friendship, commerce, and navigation, pending the eventual conclusion of a separate consular convention.

With the consent of the Berlin authorities, the agreement will also be applicable in Western Berlin.

The significance of the agreement of June 3 transcends the plane of practical advantage to the two countries. As was the case after World War I when the treaty of 1923 was signed, this agreement is the first of its kind since the end of World War II to be concluded by the new, democratic Government of the Federal Republic of Germany. The German people and their Government attach great importance to this tangible and, at the same time, symbolic evidence of the desire of the American people and their Government to help them along the road to full participation as a member of the free-world community of nations.

EXCHANGE OF NOTES WITH GERMAN CHARGÉ D'AFFAIRES

DEPARTMENT OF STATE,
Washington, June 2, 1953.

Dr. HEINZ L. KREKELER,

Chargé d' Affaires of the Federal Republic of Germany.

SIR: I refer to various discussions which have taken place concerning the liability of German nationals to compulsory service in the armed forces of the United States, and to the problem presented to this Government in carrying out the provisions of Article VI of the Treaty of Friendship, Commerce, and Consular Rights signed at Washington on December 8, 1923, in the light of the Universal Military Training and Service Act of 1951. The Act provides that aliens admitted to the United States for permanent residence shall be subject to induction on the same terms as United States citizens.

In view of this situation, I wish to inform you of the

desire of this Government to modify the said Treaty as provided in Article XXXI thereof, by omitting the said Article VI, and I herewith request you to notify your Government that, beginning one year from the date of this note, the Government of the United States will consider the said Article VI to be no longer an operative part of the said Treaty of 1923.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State:
GEOFFREY W. LEWIS *

DIPLOMATIC MISSION OF THE FEDERAL REPUBLIC OF GERMANY

1742-44 R Street Northwest, Washington 9, D. C.

June 2, 1953.

His Excellency JOHN FOSTER DULLES,
Secretary of State, Washington, D. C.

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note, dated June 2, 1953, by which the American Government serves notice of its desire to modify the Treaty of Friendship, Commerce, and Consular Rights signed at Washington, December 8, 1923, by omitting Article VI of the Treaty in accordance with the provisions contained in Article XXXI thereof.

Accept, Excellency, the renewed assurances of my highest consideration.

HEINZ L. KREKELER,
Chargé d'Affaires
of the Federal Republic of Germany

THE DEPARTMENT

Appointment of Officers

The Department of State on August 3 announced (press release 419) the designation of Robert F. Woodward as Deputy Assistant Secretary for Inter-American Affairs. Mr. Woodward, a career Foreign Service officer, was formerly Chief of the Division of Foreign Service Personnel. He is replacing Thomas C. Mann, who has been assigned as Deputy Chief of Mission at the American Embassy, Athens, Greece.

PUBLICATIONS

Recent Releases

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2615. Pub. 4968. 8 pp. 5¢.

* Deputy Director, Bureau of German Affairs.

Exchange of notes between the United States and The Netherlands—Signed at The Hague Jan. 8, 1952.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2616. Pub. 4956. 8 pp. 5¢.

Exchange of notes between the United States and Norway—Signed at Oslo Jan. 8, 1952.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2617. Pub. 4950. 6 pp. 5¢.

Exchange of notes between the United States and the Philippines—Signed at Manila Jan. 4 and 7, 1952.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2618. Pub. 4957. 7 pp. 5¢.

Exchange of notes between the United States and Portugal—Signed at Lisbon Jan. 8, 1952.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2620. Pub. 4958. 5 pp. 5¢.

Exchange of notes between the United States and Trieste—Signed at Trieste Dec. 28, 1951 and Jan. 3, 1952.

Mutual Security, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2622. Pub. 4962. 9 pp. 10¢.

Exchange of notes between the United States and the United Kingdom—Signed at London Jan. 8, 1952.

Technical Cooperation, Assurances Under Mutual Security Act of 1951. Treaties and Other International Acts Series 2625. Pub. 4848. 9 pp. 10¢.

Exchange of notes between the United States and Bolivia—Signed at La Paz Dec. 14, 1951 and Jan. 2, 7, and 8, 1952.

**Check List of Department of State
Press Releases: August 2-8, 1953**

Releases may be obtained from the News Division, Department of State, Washington 25, D.C.

Press releases issued prior to August 2 which appear in this issue of the BULLETIN are nos. 372 of July 13, 409 of July 31, and 411 of July 31.

No.	Date	Subject
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417	8/3	Colombia: Letter of credence
418	8/3	Canada: Letter of credence
419	8/3	Appointment of R. F. Woodward
*420	8/4	Morton: Boys Nation
421	8/4	Ambassador Stanton's retirement
422	8/5	Note on Soviet plane attack
*423	8/6	Issuance of Bundy passport
424	8/7	Dulles, Rhee statement on treaty
*425	8/7	McLeod: The State Department
426	8/7	Korea-U.S. defense treaty
427	8/8	Dulles: Amami Oshima islands
428	8/8	Pows in Communist custody

* Not printed

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